

December 1, 1952

PERSONAL AND
CONFIDENTIAL

VIA REGISTERED MAIL

Honorable Herbert Brownell, Jr.
140 East 19th Street
New York, New York

Dear Mr. Brownell:

I have had prepared and am enclosing
herewith a summary of FBI Coverage of Communist
Activities, 1940-1952, which I thought might be
of interest to you.

Sincerely yours,

J. Edgar Hoover

*personally delivered
by Mr. Gleason*

FILE	12-12-52
DATE	up.
BY	

Enclosure

DML:CSH

RECORDED - 71

SE 4

INDEXED - 71

DEC 1 2 01 PM '52
RECEIVED
FBI
62-98585-1

Tolson
Ladd
Clegg
Glavin
Nichols
Rosen
Tracy
Harbo
Belmont
Mohr

C231952

DEC 5 10 25 AM '52

November 20, 1952

**RE: FBI COVERAGE OF COMMUNIST
ACTIVITIES, 1940-1952**

Although this summary of the FBI's coverage of Communist activities pertains to the 1940-1952 period, this Bureau has been aware of the threat of Communism in this country since the very inception of the organized Communist movement in 1919 and has been able from time to time to furnish to the Attorney General and to other high policy-making officials of the United States Government information relative to Communist activities.

INVESTIGATIVE AUTHORITY

The primary jurisdiction of the Federal Bureau of Investigation in the supervision of investigation of subversive activities and correlation of information regarding subversives is recognized in the Presidential Directives of June 26 and September 6, 1939, January 8, 1943, and July 24, 1950. In addition to these Directives, Executive Order #9835 of March 21, 1947, which laid the basis for the Federal Employee Loyalty Program furnished additional authority for the conduct of investigations regarding alleged subversives.

There are basic statutes relating to espionage, and sabotage, referred to generally in the aforementioned Presidential Directives. However, there are other statutory predilections for investigation of Communist activities, for example: the Foreign Agents Registration Act of 1938, as amended; the Hatch Act of August 2, 1939, with particular reference to Section 9A; the Alien Registration Act, popularly referred to as the Smith Act of June 28, 1940; the Veerha Act of October 17, 1940; various appropriation laws, for example, the so-called Lend Lease Act, Public Law 23, 77th Congress, March 27, 1941; the Labor Management Relations Act, June 23, 1947; and the Internal Security Act of 1950, September 23, 1950.

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

**COPY DESTROYED
150 DEC 3 1964**

100-78585-1

Under these various statutes, officials of the Department of Justice have requested from time to time investigation by this Bureau of organizations and individuals for the purpose of determining whether such organizations or individuals came within the purview of a specific statute above cited. This Bureau has, of course, taken the initiative in investigations in other instances where investigation was a logical step.

INVESTIGATIVE ACTIVITY

In order to properly cover the Communist activities in the United States, it has been necessary for the FBI to develop confidential informants and sources of information in all fields wherein the Communist Party is active. Over the years, the FBI has been able to develop confidential informants throughout the Party organization in all areas of the United States. In addition, reliable sources of information have been developed in industrial plants, initially as a part of the broad plant survey program embarked upon by this Bureau at the request of the Military prior to the outbreak of World War II. Through contacts in the American Legion and through information received from patriotic citizens elsewhere, valuable data regarding the Communist Party have been developed. In order to keep abreast of world Communist developments, which by reason of the international conspiratorial nature of the Communist organization are reflected in the Party's activity in this country, the FBI initially utilized an intelligence service in the various Latin American countries of the Western Hemisphere during World War II.

Communist Party, USA

Through continuous investigation the FBI has been able to closely follow the activities of the Communist Party, USA, from 1940 to date.

Prior to November, 1940, the Communist Party, USA, was a section of the Communist International which was the organized world Communist movement. However, due to the provisions of the Voorhis Act, the Communist Party formally disaffiliated from the Communist International at a special convention which met in November, 1940. Since that time the Communists in this country have disclaimed any organizational subservience to the Communist Parties of other countries. The FBI during the pertinent period kept abreast of all organizational changes in the Communist movement in the United States. It was

prompt to recognize the significance of the shift during the closing months of World War II from the Communist "lip service" to American democracy to a resurgence of Marxism-Leninism-Stalinism and the Party's resultant revolutionary program.

The Communist Party is a monolithic organization with authority reaching from the national officials down to the membership through district, state, county, city, section, and club bodies. Individual membership during the pertinent period has fluctuated in response to international and domestic situations but has dropped from an estimated high of 80,000 members in 1943 to a current figure as of September 30, 1952, of approximately 24,796.

The Communist Party over the years has drawn a substantial number of recruits and ultimate leaders from its youth organizations, the Young Communist League, 1940-1943; the American Youth for Democracy, 1943-1948; and the Labor Youth League, 1949 to date. Membership in these groups has fallen from a reported 22,000 in the Young Communist League at the beginning of the pertinent period to a current estimated 8,000 members of the Labor Youth League.

The basic operation of the Communist Party is attempting to spread its influence in its program of education and propaganda. Since 1940, the Party has established a number of schools throughout the United States, only two of which, the Jefferson School of Social Science in New York City and the California Labor School in San Francisco, are still in operation. In addition to the above-mentioned schools which are designed to give a Marxist-Leninist-Stalinist education to both Party and non-Party students, the Communist Party operates its own closed leadership training schools for the development of professional revolutionaries.

A never-ending stream of books and pamphlets is published by the New Century Publishers, Inc., formerly known as the Workers Library Publishers, and the International Publishers, both Communist publishing houses in New York City. The Party press consists of the "Daily Worker," its week-end edition, "The Worker," "The Daily People's World," "Political

Affairs," the theoretical organ of the Party, and "Masses and Mainstream," a monthly Marxist "cultural" magazine. Leaflets and fliers, both printed and mimeographed, are prepared and distributed in the lower organizational levels of the Party.

The Party's expenses over the years have always exceeded by thousands of dollars the receipts from dues and the sale of publications. Consequently, the Party has been engaged in a continuous series of special fund drives directed not only at its membership but at sympathetic "angels" and unsuspecting members of the general public. Prior to the institution of legal proceedings against the leadership of the Party, the bulk of the Party's finances was utilized in propaganda purposes. Now, a large part of available Party funds has been diverted to the defense of Party members facing prosecution.

Since its inception in 1919, the Party has operated not only on a purportedly open basis but also as an underground organization. During the past several years, the Party has moved more and more toward a complete underground status. In the thirty Party districts, there are only seven headquarters offices being maintained. In New York State, which contains approximately half of the Communist Party membership in this country, a complete underground organizational apparatus has been formulated. Although many of the ranking members of the Party have gone into hiding and many former members have withdrawn from Party affiliation, the majority of those Communists who remain within the organization are the militant "hard core" of the Communist movement.

With the underground character of the Party increasing and due to the time and effort necessary to bring informants to the peak of production within the Communist organization, they are not recommended for use as witnesses except in cases of major importance. It has become more necessary than ever before not only to replace informants whose usefulness has been destroyed through their utilization as Government witnesses, but also to expand the FBI's informant coverage.

With the decrease of effective work by the Party itself, its principal efforts in the field of agitation are currently being directed toward infiltration and control of mass organizations, preferably of the center or "right wing" type.

Communist Front Organizations

A Communist Party front is a so-called mass organization, which has a degree of non-Communist Party membership, through which the Party appeals to the masses for support of its programs and through which prospective Party members are trained and indoctrinated.

Investigation of the Party's front program from 1940 to 1952 has disclosed two basic types of organizations: (1) Those formed at the direction or instigation of the Communist Party to implement particular programs or policy and (2) organizations infiltrated by the Party in order to utilize their aims and background to conceal Communist activity.

Communist-front activity has sought to affect every aspect of American life with particular stress on the fields of civil rights and racial matters, education, scientific and cultural matters, problems relating to the foreign born and particularly the relationships between the United States and the Soviet Union.

The FBI's investigations of Communist fronts have provided the intelligence coverage necessary to evaluate the scope of the Communist Party's activities and to provide the Attorney General with factual bases for declaring specific organizations subversive (under the Hatch Act) or as coming within the purview of Executive Order 9835, and for presentations before the Subversive Activities Control Board under the provisions of the Internal Security Act of 1950.

FBI investigation regarding Communist fronts discloses that at the present time, regardless of the original or ostensible issue for which a particular front is utilized, all Party fronts are used as propaganda "sounding boards" for the alleged "peace aims of the Soviet Union."

Communist Infiltration of Labor Organizations

V. I. Lenin, Russian Communist leader, specifically promulgated the theory that labor unions should be controlled and used as instruments of the Communist revolution. During the 1940-1952 period the Communist Party has followed a policy of "boring from within" existing labor organizations. Until 1949 the Congress of Industrial Organizations was the principal target in this regard.

The FBI, upon specific authorization of the Attorney General, has conducted investigations to determine the extent of Communist control over important trade-unions, to identify each important Communist in the labor movement and to determine the degree of control that Communists have over vital industry in the United States. In no instance has a labor union been the subject of investigation under this program. Throughout the investigations described, the FBI has stressed that it was not investigating legitimate trade-union activity nor was it interested in employer-employee relationships.

During 1949 and 1950 the Communist Party suffered a tactical "setback" when the Congress of Industrial Organizations expelled eleven unions for adhering to the Communist program. Communist infiltration of these unions had previously been investigated by the FBI under specific authorization of the Attorney General and Communist activities within the expelled organizations are still under FBI investigation.

From a practical standpoint the Communists have historically sought to penetrate and control the unions within the basic industries as well as those in the communications and transportation fields for the purpose of preventing effective support of any war effort of the United States at variance with the policies of the Soviet Union.

Communists are still entrenched in important trade-unions through which Party-inspired strikes or physical sabotage could impede the defense effort of the United States.

Communist Infiltration of Government

Without the thorough-going investigation of the Communist Party and its fronts as discussed heretofore, attempts to identify Communists who had infiltrated the United States Government would have been more difficult. Due to the FBI's coverage of Party activities, it has been possible through name checks to identify under the Hatch Act and the Loyalty Program certain individuals on whom indications of Party membership or affiliation are shown in the FBI files and to institute appropriate investigations.

Under the provisions of Section 2A of the Hatch Act, the FBI, prior to the fiscal year 1948, conducted investigations of subversives in the Federal Government only at the request of the heads of the Departments by which such alleged subversives were employed.

The Department of Justice appropriation for the 1942 fiscal year provided for investigation of any Government employee belonging to a subversive organization or advocating the overthrow of the Federal Government. The Department of Justice Appropriations Act for the following fiscal year, 1943, made funds available for the same purpose. Thereafter, Congress set aside no specific appropriations for such investigations but on the instructions of the Attorney General, the FBI continued conducting the type of investigation provided for under the Hatch Act until the institution of the Federal Employees Loyalty Program under Executive Order 9835, March 21, 1947. Under the Loyalty Program, the FBI conducts full field investigations of civilians in the Executive Branch of the Government concerning whom allegations of disloyalty are present. The reports are transmitted to the Civil Service Commission for referral to the appropriate Loyalty Hearing Board for the Board's consideration and decision as to eligibility for employment. In those instances where possible violations of law are developed, copies of reports are sent to the Criminal Division of the Department for consideration.

6,297 investigations of the type provided for by the Hatch Act were conducted and, as of October 31, 1952, 23,287 full field investigations under the Loyalty Program had been conducted. These figures include investigations of Communists as well as other subversive activities.

Trotskyite and Other Marxist-Leninist Revolutionary Organizations

In addition to the investigation of the Communist Party and its affiliates, continuous investigative attention has been afforded revolutionary Trotskyite and other so-called Marxist-Leninist splinter groups. The Trotskyites espouse the teachings of Karl Marx and V. I. Lenin as interpreted by Leon Trotsky. The principal Trotskyite organizations of the United States are the Socialist Workers Party (SWP), with an estimated membership of 723, and the Independent Socialist League (ISL), with an approximate membership of 298. The ISL also has a youth section known as the Socialist Youth League which has an estimated 120 members.

These groups are hostile to the current Soviet regime. In the event of a war between this country and the Soviet Union, the SWP has indicated it will support the Russians as the lesser of two evils, whereas the ISL has indicated it will oppose both "war camps."

The SWP had candidates for President and Vice-President entered in the 1952 national elections.

Other splinter groups which have been investigated by the FBI include the West Coast Committee to Restore the Revolutionary Principles and Build the Communist Party, USA; the Libertarian Socialist League; the United Labor Party; the Proletarian Party of America and the Revolutionary Workers League -- all with a negligible membership.

In the foreign-language field, there are five organizations which support Tito, the Yugo-Slav Communist dictator, who has been called a Trotskyite by the Stalinists, and might be considered "Titoist fronts."

Individual Communist Investigations

For more than two years prior to the entrance of the United States into World War II, the FBI had been engaged in collecting and organizing information concerning individuals who might be dangerous to the national security in the event of war or other national emergency. During the period of the Nazi-Soviet nonaggression pact, Russian aliens and Communists were included. After June 22, 1941, when the Nazi armies invaded the Soviet Union, the Russian and Communist aspects of the program were de-emphasized. On and after December 7, 1941, 16,054 Japanese, German, Italian, Hungarian, Rumanian and Bulgarian alien enemies were apprehended by the FBI.

The Nazi attack on the Soviet Union removed the immediate Communist threat to our defense efforts but did not destroy the potential danger to the internal security of the country from the Communist movement.

PROSECUTIVE AND ADMINISTRATIVE ACTION

Smith Act Prosecutions

Socialist Workers Party

As a result of FBI investigations, in 1941 the leaders of the Socialist Workers Party were indicted and convicted for unlawfully conspiring to advocate the overthrow of the Government of the United States by force and advocating insubordination in the Armed Forces of the United States. Eighteen SWP leaders were sentenced to serve prison sentences ranging from one year and one day to sixteen months in prison.

Communist Party, USA

After the reconstitution of the Communist Party, USA, as a revolutionary organization at the close of World War II, the FBI increased its investigative coverage and supplied to the Attorney General in February, 1948, a brief to establish the illegal status of the Communist Party, USA, consisting of 1458 pages and 546 exhibits. On the basis of this evidence, the members of the National Board of the Communist Party were indicted in U. S. District Court for the Southern District of New York on July 20, 1948, for conspiring to violate the Smith Act. William Z. Foster, National Chairman, was severed as a defendant due to ill health and the remaining eleven members of the National Board were convicted on October 14, 1949. On June 4, 1951, the Supreme Court upheld the constitutionality of the Smith Act and affirmed the conviction.

To date 73 additional leaders have been indicted, 20 have been convicted and 13 in New York, 5 in Pittsburgh and 7 in Honolulu are presently on trial. Four have been severed as defendants due to ill health, two have been acquitted, four are fugitives and the following are awaiting trial: 6 in Detroit, 5 in St. Louis, and 7 in Seattle. Thus a total of 85 top Communist leaders have been indicted under the Smith Act to date and 31 have been convicted.

Internal Security Act of 1950

Communist Party, USA

The Internal Security Act of 1950 required all Communist-action organizations to register with the Attorney General within 90 days after the passage of the Act on September 23, 1950. On November 7, 1950, the FBI furnished a 659-page special report to the Criminal Division of the Department containing evidence that the Communist Party, USA, was a Communist-action organization under the definition and provisions of the Act. Based on this report the Attorney General filed a petition before the Subversive Activities Control Board seeking an order requiring the Communist Party, USA, to register as a Communist-action organization. On April 23, 1951, the actual administrative hearings began before the Board with twenty-two Government witnesses and three defense witnesses appearing between April, 1951, and July 1, 1952. More than 14,000 pages of testimony were taken during this hearing. On October 20, 1952, the Panel of the Board which heard this case entered its "Recommended Decision" recommending that the Board issue an order requiring the Communist Party to so register.

Miscellaneous Matters

Because of the Bureau's coverage of the Communist Party, prosecutions of and administrative action against numerous individuals stemming from their Communist Party membership or affiliation have been possible. These include prosecutions for contempt of Congress and of the Federal Courts, for perjury, and for fraud against the Government. Of specific interest are those fraud cases arising out of investigations of the Federal Employee Loyalty program. The Immigration and Naturalization Service has utilized data supplied by the FBI in connection with administrative proceedings relating to immigration, naturalization, and deportation.

COOPERATIVE FUNCTIONS

Cooperation and coordination are integral features of the work of the Bureau. This results in providing interested governmental agencies with services which go considerably beyond the purely investigative character of law enforcement and intelligence activities.

This Bureau has disseminated a continuous flow of information of interest to other agencies of the United States Government. This was done in accordance with the Presidential Directive of September 6, 1939, by which we were charged with coordination of such information. Appropriate dissemination was made also because of our realization of its pertinency and significance to the operations of other agencies of the Government, requiring as they do factual material upon which their officials predicate governmental policy. Further, from these same agencies specific requests have been received by this Bureau for special services. Because of the close relationship in the internal security field between the FBI and the intelligence agencies of the Army, Navy, and Air Force, there has been a constant interchange of information relating to all aspects of Communist activity as well as individual membership and affiliation upon which those agencies could predicate matters of policy for action with regard to subversive personnel.

At the request of other agencies of the United States Government this Bureau (1) has conducted special inquiries and supplied information relating to specific individuals, events, and organizations; (2) it has disseminated the results of investigations where it is known that they will be of interest and value; (3) it has placed the facilities of its Laboratory

at the service of other governmental agencies as well as at the service of all law enforcement organizations in the United States; (4) its Identification Division is in regular use in the interest of both governmental and law enforcement bodies; (5) many research papers, summaries and monographs are prepared for other agencies of the Government; and (6) participation on various inter-departmental committees established under the authority of the National Security Council dealing with internal security problems.

Typical of the types of monographs which have been prepared are: (1) *The Communist Party Line (1947-1952)*; (2) *Glossary of Marxist Words and Phrases, Volumes I, II, III (1948)*; (3) *Summary of Soviet and Satellite Espionage and Communist Activities in the United States (1948)*; (4) *Communist Concepts of War, Pacifism and "Peace" (1949)*; (5) *Known Objectives of Soviet and Satellite Intelligence in the United States (1951)*; and (6) *Documentary Proof that the Communist Party, USA, Teaches and Advocates the Overthrow and Destruction of the United States Government by Force and Violence (May, 1952)*.

These research studies have related to various major aspects of the Communist movement.

These cooperative functions quite naturally lead to better coordination of coverage of Communist activities and they will be continued in the future.

~~SECURITY INFORMATION - CONFIDENTIAL~~

United States Department of Justice

Federal Bureau of Investigation

Washington 25, D. C.

September 29, 1952

IN REPLY, PLEASE REFER TO

FILE NO. 100-3**RE: FBI COVERAGE OF COMMUNIST
ACTIVITIES, 1940-1952**

Although this summary of the FBI's coverage of Communist activities pertains to the 1940-1952 period, this Bureau has been aware of the threat of Communism in this country since the very inception of the organized Communist movement in 1919 and has been able from time to time to furnish to the Attorney General and to other high policy-making officials of the United States Government information relative to Communist activities.

INVESTIGATIVE AUTHORITY

The primary jurisdiction of the Federal Bureau of Investigation in the supervision of investigation of subversive activities and correlation of information regarding subversives is recognized in the Presidential Directives of June 26 and September 6, 1939, January 8, 1943, and July 24, 1950. In addition to these Directives, Executive Order #9835 of March 21, 1947, which laid the basis for the Federal Employee Loyalty Program furnished additional authority for the conduct of investigations regarding alleged subversives.

There are basic statutes relating to espionage, and sabotage, referred to generally in the aforementioned Presidential Directives. However, there are other statutory predications for investigation of Communist activities, for example: the Foreign Agents Registration Act of 1938, as amended; the Hatch Act of August 2, 1939, with particular reference to Section 9A; the Alien Registration Act, popularly referred to as the Smith Act of June 28, 1940; the Voorhis Act of October 17, 1940; various appropriation laws, for example, the so-called Lend Lease Act, Public Law 23, 77th Congress, March 27, 1941; the Labor Management Relations Act, June 23, 1947; and the Internal Security Act of 1950, September 23, 1950.

~~SECURITY INFORMATION - CONFIDENTIAL~~

Under these various statutes, officials of the Department of Justice have requested from time to time investigation by this Bureau of organizations and individuals for the purpose of determining whether such organizations or individuals came within the purview of a specific statute above cited. This Bureau has, of course, taken the initiative in investigations in other instances where investigation was a logical step.

INVESTIGATIVE ACTIVITY

In order to properly cover the Communist activities in the United States, it has been necessary for the FBI to develop confidential informants and sources of information in all fields wherein the Communist Party was active. Over the years, the FBI has been able to develop confidential informants throughout the Party organization in all areas of the United States. In addition, reliable sources of information have been developed in industrial plants, initially as a part of the broad plant survey program embarked upon by this Bureau at the request of the Military prior to the outbreak of World War II. Through contacts in the American Legion and through information received from patriotic citizens elsewhere, valuable data regarding the Communist Party have been developed. In order to keep abreast of world Communist developments, which by reason of the international conspiratorial nature of the Communist organization are reflected in the Party's activity in this country, the FBI initially utilized an intelligence service in the various Latin American countries of the Western Hemisphere during World War II and ~~still maintains listening posts not only in Latin America but in Western European countries as well.~~

Communist Party, USA

Through continuous investigation the FBI has been able to closely follow the activities of the Communist Party, USA, from 1940 to date.

Prior to November, 1940, the Communist Party, USA, was a section of the Communist International which was the organized world Communist movement. However, due to the provisions of the Voorhis Act, the Communist Party formally disaffiliated from the Communist International at a special convention which met in November, 1940. Since that time the Communists in this country have disclaimed any organizational subservience to the Communist Parties of other countries. The FBI during the pertinent period kept abreast of all organizational changes in the Communist movement in the United States. It was

prompt to recognize the significance of the shift during the closing months of World War II from the Communist "lip service" to American democracy to a resurgence of Marxism-Leninism-Stalinism and the Party's resultant revolutionary program.

The Communist Party is a monolithic organization with authority reaching from the national officials down to the membership through district, state, county, city, section, and club bodies. Individual membership during the pertinent period has fluctuated in response to international and domestic situations but has dropped from an estimated high of 80,000 members in 1945 to a current figure as of June 30, 1952, of approximately 24, 674.

The Communist Party over the years has drawn a substantial number of recruits and ultimate leaders from its youth organizations, the Young Communist League, 1940-1943; the American Youth for Democracy, 1943-1948; and the Labor Youth League, 1949 to date. Membership in these groups has fallen from a reported 22,000 in the Young Communist League at the beginning of the pertinent period to a current estimated 8,000 members of the Labor Youth League.

The basic operation of the Communist Party in attempting to spread its influence is its program of education and propaganda. Since 1940, the Party has established a number of schools throughout the United States, only two of which, the Jefferson School of Social Science in New York City and the California Labor School in San Francisco, are still in operation. In addition to the above-mentioned schools which are designed to give a Marxist-Leninist-Stalinist education to both Party and non-Party students, the Communist Party operates its own closed leadership training schools for the development of professional revolutionaries.

A never-ending stream of books and pamphlets is published by the New Century Publishers, Inc., formerly known as the Workers Library Publishers, and the International Publishers, both Communist publishing houses in New York City. The Party press consists of the "Daily Worker," its week-end edition, "The Worker," "The Daily People's World," "Political

Affairs," the theoretical organ of the Party, and "Masses and Mainstream," a monthly Marxist "cultural" magazine. Leaflets and fliers, both printed and mimeographed, are prepared and distributed in the lower organizational levels of the Party.

The Party's expenses over the years have always exceeded by thousands of dollars the receipts from dues and the sale of publications. Consequently, the Party has been engaged in a continuous series of special fund drives directed not only at its membership but at sympathetic "angels" and unsuspecting members of the general public. Prior to the institution of legal proceedings against the leadership of the Party, the bulk of the Party's finances was utilized in propaganda purposes. Now, a large part of available Party funds have been diverted to the defense of Party members facing prosecution.

Since its inception in 1919, the Party has operated not only on a purportedly open basis but also as an underground organization. During the past several years, the Party has moved more and more toward a complete underground status. In the thirty Party districts, there are only seven headquarters offices being maintained. In New York State, which contains approximately half of the Communist Party membership in this country, a complete underground organizational apparatus has been formulated. Although many of the ranking members of the Party have gone into hiding and many former members have withdrawn from Party affiliation, the majority of those Communists who remain within the organization are the militant "hard core" of the Communist movement.

With the underground character of the Party increasing and due to the time and effort necessary to bring informants to the peak of production within the Communist organization, they are not recommended for use as witnesses except in cases of major importance. It has become more necessary than ever before not only to replace informants whose usefulness has been destroyed through their utilization as Government witnesses, but also to expand the FBI's informant coverage.

With the decrease of effective work by the Party itself, its principal efforts in the field of agitation are currently being directed toward infiltration and control of mass organizations, preferably of the center or "right wing" type.

Communist Front Organizations

A Communist Party front is a so-called mass organization, which has a degree of non-Communist Party membership, through which the Party appeals to the masses for support of its programs and through which prospective Party members are trained and indoctrinated.

Investigation of the Party's front program from 1940 to 1952 has disclosed two basic types of organizations: (1) Those formed at the direction or instigation of the Communist Party to implement particular programs or policy and (2) organizations infiltrated by the Party in order to utilize their aims and background to conceal Communist activity.

Communist-front activity has sought to affect every aspect of American life with particular stress on the fields of civil rights and racial matters, education, scientific and cultural matters, problems relating to the foreign born and particularly the relationships between the United States and the Soviet Union.

The FBI's investigations of Communist fronts have provided the intelligence coverage necessary to evaluate the scope of the Communist Party's activities and to provide the Attorney General with factual bases for declaring specific organizations subversive (under the Hatch Act) or as coming within the purview of Executive Order 9835, and for presentations before the Subversive Activities Control Board under the provisions of the Internal Security Act of 1950.

FBI investigation regarding Communist fronts discloses that at the present time, regardless of the original or ostensible issue for which a particular front is utilized, all Party fronts are used as propaganda "sounding boards" for the alleged "peace aims" of the Soviet Union.

Communist Infiltration of Labor Organizations

V. I. Lenin, Russian Communist leader, specifically promulgated the theory that labor unions should be controlled and used as instruments of the Communist revolution. During the 1940-1952 period the Communist Party has followed a policy of "boring from within" existing labor organizations. Until 1949 the Congress of Industrial Organizations was the principal target in this regard.

The FBI, upon specific authorization of the Attorney General, has conducted investigations to determine the extent of Communist control over important trade-unions, to identify each important Communist in the labor movement and to determine the degree of control that Communists have over vital industry in the United States. In no instance has a labor union been the subject of investigation under this program. Throughout the investigations described, the FBI has stressed that it was not investigating legitimate trade-union activity nor was it interested in employer-employee relationships.

During 1949 and 1950 the Communist Party suffered a tactical "setback" when the Congress of Industrial Organizations expelled eleven unions for adhering to the Communist program. Communist infiltration of these unions had previously been investigated by the FBI under specific authorization of the Attorney General and Communist activities within the expelled organizations are still under FBI investigation.

From a practical standpoint the Communists have historically sought to penetrate and control the unions within the basic industries as well as those in the communications and transportation fields for the purpose of preventing effective support of any war effort of the United States at variance with the policies of the Soviet Union.

Communists are still entrenched in important trade-unions through which Party-inspired strikes or physical sabotage could impede the defense effort of the United States.

Communist Infiltration of Government

Without the thorough-going investigation of the Communist Party and its fronts as discussed heretofore, attempts to identify Communists who had infiltrated the United States Government would have been more difficult. Due to the FBI's coverage of Party activities, it has been possible through name checks to identify under the Hatch Act and the Loyalty Program certain individuals on whom indications of Party membership or affiliation are shown in the FBI files and to institute appropriate investigations.

Under the provisions of Section 9A of the Hatch Act, the FBI, prior to the fiscal year 1942, conducted investigations of subversives in the Federal Government only at the request of the heads of the Departments by which such alleged subversives were employed.

The Department of Justice appropriation for the 1942 fiscal year provided for investigation of any Government employee belonging to a subversive organization or advocating the overthrow of the Federal Government. The Department of Justice Appropriations Act for the following fiscal year, 1943, made funds available for the same purpose. Thereafter, Congress set aside no specific appropriations for such investigations but on the instructions of the Attorney General, the FBI continued conducting the type of investigation provided for under the Hatch Act until the institution of the Federal Employees Loyalty Program under Executive Order 9835, March 21, 1947. Under the Loyalty Program, the FBI conducts full field investigations of civilians in the Executive Branch of the Government concerning whom allegations of disloyalty are present. The reports are transmitted to the Civil Service Commission for referral to the appropriate Loyalty Hearing Board for the Board's consideration and decision as to eligibility for employment. In those instances where possible violations of law are developed, copies of reports are sent to the Criminal Division of the Department for consideration.

6,297 investigations of the type provided for by the Hatch Act were conducted and, as of August 31, 1952, 23,157 full field investigations under the Loyalty Program had been conducted. These figures include investigations of Communists as well as other subversive activities.

Trotskyite and Other Marxist-Leninist Revolutionary Organizations

In addition to the investigation of the Communist Party and its affiliates, continuous investigative attention has been afforded revolutionary Trotskyite and other so-called Marxist-Leninist splinter groups. The Trotskyites espouse the teachings of Karl Marx and V. I. Lenin as interpreted by Leon Trotsky. The principal Trotskyite organizations of the United States are the Socialist Workers Party (SWP), with an estimated membership of 723, and the Independent Socialist League (ISL), with an approximate membership of 298. The ISL also has a youth section known as the Socialist Youth League which has an estimated 120 members.

These groups are hostile to the current Soviet regime. In the event of a war between this country and the Soviet Union, the SWP has indicated it will support the Russians as the lesser of two evils, whereas the ISL has indicated it will oppose both "war camps."

~~SECURITY INFORMATION - CONFIDENTIAL~~

The SWP has candidates for President and Vice-President entered in the 1952 national elections.

Other splinter groups which have been investigated by the FBI include the West Coast Committee to Restore the Revolutionary Principles and Build the Communist Party, USA; the Libertarian Socialist League; the United Labor Party; the Proletarian Party of America and the Revolutionary Workers League -- all with a negligible membership.

In the foreign-language field, there are five organizations which support Tito, the Yugo-Slav Communist dictator, who has been called a Trotskyite by the Stalinists, and might be considered "Titoist Fronts."

Individual Communist Investigations

For more than two years prior to the entrance of the United States into World War II, the FBI had been engaged in collecting and organizing information concerning individuals who might be dangerous to the national security in the event of war or other national emergency. During the period of the Nazi-Soviet nonaggression pact, Russian aliens and Communists were included. After June 22, 1941, when the Nazi armies invaded the Soviet Union, the Russian and Communist aspects of the program were de-emphasized. On and after December 7, 1941, 16,054 Japanese, German, Italian, Hungarian, Rumanian and Bulgarian alien enemies were apprehended by the FBI.

The Nazi attack on the Soviet Union removed the immediate Communist threat to our defense efforts but did not destroy the potential danger to the internal security of the country from the Communist movement.

Detailed plans for controlling the activities of such individuals in the event of a national emergency have been approved by the Attorney General and the FBI is continuing its individual investigations for the purpose of keeping current at all times factual data regarding such individuals.

PROSECUTIVE AND ADMINISTRATIVE ACTION

Smith Act Prosecutions

Socialist Workers Party

As a result of FBI investigations, in 1941 the leaders of the Socialist Workers Party were indicted and convicted for unlawfully conspiring to advocate the overthrow of the Government of the United States by force and advocating insubordination in the Armed Forces of the United States. Eighteen SWP leaders were sentenced to serve prison sentences ranging from one year and one day to sixteen months in prison.

Communist Party, USA

After the reconstitution of the Communist Party, USA, as a revolutionary organization at the close of World War II, the FBI increased its investigative coverage and supplied to the Attorney General in February, 1948, a brief to establish the illegal status of the Communist Party, USA, consisting of 1452 pages and 546 exhibits. On the basis of this evidence, the members of the National Board of the Communist Party were indicted in U. S. District Court for the Southern District of New York on July 20, 1948, for conspiring to violate the Smith Act. William Z. Foster, National Chairman, was severed as a defendant due to ill health and the remaining eleven members of the National Board were convicted on October 14, 1949. On June 4, 1951, the Supreme Court upheld the constitutionality of the Smith Act and affirmed the conviction. ~~Eight of those convicted are serving their prison sentences and three are fugitives.~~

TP

~~to the Criminal Division of the Department.~~ To date 73 additional leaders have been indicted, 20 have been convicted and 13 are presently on trial in New York City. Three have been severed as defendants due to ill health, two have been acquitted, four are fugitives and the following are awaiting trial: 6 in Pittsburgh, 7 in Honolulu, 6 in Detroit, 5 in St. Louis, and 7 in Seattle. Thus a total of 85 top Communist leaders have been indicted under the Smith Act to date and 31 have been convicted.

Internal Security Act of 1950

Communist Party, USA

The Internal Security Act of 1950 required all Communist-action organizations to register with the Attorney General within 30 days after the passage of the Act on September 23, 1950. On November 7, 1950, the FBI furnished a 659 page special report to the Criminal Division of the Department containing evidence that the Communist Party, USA, was a Communist-action organization under the definition and provisions of the Act. Based on this report the Attorney General filed a petition before the Subversive Activities Control Board seeking an order requiring the Communist Party, USA, to register as a Communist-action organization. On April 23, 1951, the actual administrative hearings began before the Board with twenty-two Government witnesses and three defense witnesses appearing between April, 1951, and July 1, 1952. More than 14,000 pages of testimony were taken during this hearing. The Panel of the Board which heard this case will in the near future give its recommended decision to the full Board which in turn will render its decision as to whether or not the Communist Party, USA, is required to register.

Miscellaneous Matters

Because of the Bureau's coverage of the Communist Party, prosecutions of and administrative action against numerous individuals stemming from their Communist Party membership or affiliation has been possible. These include prosecutions for contempts of Congress and of the Federal Courts, for perjury, and for fraud against the Government. Of specific interest are those fraud cases arising out of investigations of the Federal Employee Loyalty program. The Immigration and Naturalization Service has utilized data supplied by the FBI in connection with administrative proceedings relating to immigration, naturalization, and deportation.

Closely related to the FBI's coverage of Communist activities, and sometimes stemming from it, are investigations in the fields of espionage and sabotage involving the operation of double agents and coverage of the activities of official representatives of the Soviet Union and its satellites. In addition to their intelligence value, these investigations have resulted in prosecutive action by the Criminal Division of the Department of Justice and action by the Department of State in declaring certain officials personae non gratae.

The FBI has conducted investigations under the "non-Communist" affidavit provisions of the Labor Management Relations Act and has furnished copies of reports of these investigations to the Criminal Division of the Department.

COOPERATIVE FUNCTIONS

Cooperation and coordination are integral features of the work of the Bureau. This results in providing interested governmental agencies with services which go considerably beyond the purely investigative character of law enforcement and intelligence activities.

This Bureau has disseminated a continuous flow of information of interest to other agencies of the United States Government. This was done in accordance with the Presidential Directive of September 6, 1939, by which we were charged with coordination of such information. Appropriate dissemination was made also because of our realization of its pertinency and significance to the operations of other agencies of the Government, requiring as they do factual material upon which their officials predicate governmental policy. Further, from these same agencies specific requests have been received by this Bureau for special services which were met almost without exception. Because of the close relationship in the internal security field between the FBI and the intelligence agencies of the Army, Navy, and Air Force, there has been a constant interchange of information relating to all aspects of Communist activity as well as individual membership and affiliation upon which those agencies could predicate matters of policy for action with regard to subversive personnel.

At the request of other agencies of the United States Government this Bureau (1) has conducted special inquiries and supplied information relating to specific individuals, events, and organizations; (2) it has disseminated the results of investigations where it is known that they will be of interest and value; (3) it has placed the facilities of its Laboratory at the service of other governmental agencies as well as at the service of all law enforcement organizations in the United States; (4) its Identification Division is in regular use in the interest of both governmental and law enforcement bodies; (5) many research papers, summaries and monographs are prepared for other agencies of the Government; and (6) participation on various inter-departmental committees established under the authority of the National Security Council dealing with internal security problems.

Typical of the types of monographs which have been prepared are: (1) The Communist Party Line (1947-1952); (2) Glossary Of Marxist Words And Phrases, Volumes I, II, III (1948); (3) Summary Of Soviet And Satellite Espionage And Communist Activities In The United States (1948); (4) Communist Concepts Of War, Pacifism And "Peace" (1949); (5) Known Objectives Of Soviet And Satellite Intelligence In The United States (1951); and (6) Documentary Proof That The Communist Party, USA, Teaches And Advocates The Overthrow And Destruction Of The United States Government By Force And Violence (May, 1952).

These research studies have related to various major aspects of the Communist movement.

These cooperative functions quite naturally lead to better coordination of coverage of Communist activities and both procedures will be continued in the future.

SECURITY INFORMATION - ~~SECRET~~

CC - Mr. Ladd
CC - Mr. Belmont

December 4, 1952

PERSONAL AND ~~CONFIDENTIAL~~
VIA REGISTERED MAIL

Honorable Herbert Brownell, Jr.
140 East 19th Street
New York, New York

Dear Mr. Brownell:

I thought you would be interested in the following information furnished by an informant who has given this Bureau reliable and valuable information in the past, and which is purported to represent statements made by Soviet officials stationed in Europe who informant believes are important officials of the Soviet Ministry of State Security.

The Korean conflict will not be settled until the Soviets want it settled and they do not believe that it is to their advantage to negotiate a quick settlement. General Eisenhower's trip to Korea is considered as useless. It was stated that the quicker General Eisenhower gets together with the Russians to organize central Europe, the quicker there will be a settlement in Korea. The Soviets stated that General MacArthur was "right" and that two years ago the United Nations had a "chance" in Korea but that there is no chance to win the war at the present time. The Soviets have "an arsenal of destructive machinery, instruments, and manpower" only eight or ten hours' flight from Korea, which the United States "had better" take into consideration.

It was stated that the Russians will be ready for war ahead of the United States and will know in advance when the United States is ready to fire the "first gun." It was indicated, that having this knowledge, the Soviets would strike first. The Soviets were reported to have thousands of submarines which are immune to detection

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

RECEIVED
TIME _____
DATE 12-12-52
BY unfr.

RECORDED - 71

62-98585-2

INDEXED
SECURITY INFORMATION - ~~SECRET~~

personally delivered by
ETT:Wc Mr. Holloman

DEC 22 1952

copy maintained
in 80 2-1-58
11-12-58

RECORDED
DEC 5 10 30 AM '52

✓
W.C. Sullivan
ETT

~~SECURITY INFORMATION - SECRET~~

FEDERAL BUREAU OF INVESTIGATION - PERSONAL AND ~~CONFIDENTIAL~~

by "radar" and cannot be "trailed." It was stated that the Baltic Sea is full of Russian submarines. It was also alleged that the Soviets have more and better jet planes than the Allies, the ratio being three to one, and that they have more fliers for each plane, the ratio being seven to one. The Soviets are also reported to have more and better armament than the western nations and have manpower reserves on "every front."

Informant added that if things continue to progress as in the past, General Eisenhower will get a "bombshell" in the Middle East a year from now or a little sooner, and that Germany will represent a problem for the United States.

The Soviets would rather have seen an election victory for Governor Stevenson because that would have lowered the prestige of General Eisenhower in Europe. It was stated that three out of every five Austrians working for the United States Government in Austria are agents or informants of the Soviets. The Soviets sent troops to Estonia, Latvia, and other areas after General Eisenhower allegedly stated in a speech that these countries were handed to the Russians on a silver platter by the Democrats.

It was also stated that the Soviets are "putting out" a lot of propaganda in France and England in an effort to "split" those two countries. "Battalions" of propagandists are reportedly in both countries. These propagandists are not Russians, but are mostly Nordics, Swiss, Danes, Tunisians, and Estonians.

I am unable to evaluate the above information, other than to state that our informant has furnished reliable and valuable information in the past. This informant can be expected to furnish valuable information in the future and for his protection it is requested that this data be treated as ~~SECRET~~.

Sincerely yours,

J. Edgar Hoover

- 2 -

SECURITY INFORMATION - ~~SECRET~~

~~SECURITY INFORMATION - SECRET~~

cc: The Director
Mr. Ladd

RECORDED - 71

62-98585-3

(RS)
December 9, 1952

VIA REGISTERED MAIL

Honorable Herbert Brownell, Jr.
140 East 15th Street
New York, New York

Dear Mr. Brownell:

For your information and ready reference, I am enclosing a memorandum dealing with the subject of wire tapping, setting forth the Bureau's policy in connection with this matter and referring to legislation which has heretofore been introduced.

As you know, there is a wide area of conflict on the subject matter of wire tapping. I, personally, have always had the view that it should be strictly limited to matters of utmost importance to the national security and where human life was in jeopardy. There is no question but that there have been many abuses of wire tapping and a rank invasion into the rights of privacy of citizens. There is a definite place and need for wire tapping and we have always adhered to the view in the FBI that its greatest value is in the area of securing leads. The first consideration in any intelligence operation is that of acquiring information to enable the Executive Branch of the Government to take preventive measures against outbreaks of violence or to control espionage on the part of subversives.

There is no other way that certain types of information can be secured and I am quite certain this is a matter which will be called to your attention very soon after you assume the duties of Attorney General. Naturally, the Communists have vigorously campaigned against wire tapping. There has been a widespread distortion of the facts on wire tapping, unfortunately brought about by many unthinking individuals.

With best wishes and kind regards,

Sincerely yours,

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Mohr
Tele. Rm.
Nease
Gandy

Enclosure (1)
LBN:MP

60 DEC 30 1952

RECEIVED
DEC 9 7 02 PM '52
SECURITY INFORMATION - ~~SECRET~~

DELIVERED
by Mrs. Holloman
LEFT FROM D. O.

DATE 12-12-52

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. D. M. LADD

DATE: December 5, 1952

FROM : MR. A. H. BELMONT *JB*SUBJECT: WIRE TAPPING

Tolson	_____
Ladd	_____
Nichols	_____
Belmont	_____
Clegg	_____
Glavin	_____
Harbo	_____
Rosen	_____
Tracy	_____
Mohr	_____
Tele. Rm.	_____
Nease	_____
Gandy	_____

19 for 2-1

There is attached a blank memorandum on the subject of wire tapping, which includes Bureau policy, court decisions and pending legislation, which you may wish to have transmitted to Mr. Herbert Brownell, Attorney General Designate.

*attached
to letter to
Mr. Brownell
12-9-52
LBN*

Attachment

JDD:DE

RECORDED - 71

INDEXED - 71

162-98585-3

COPY DESTROYED
150 DEC 3 1964

JB

SECURITY INFORMATION - ~~SECRET~~

December 5, 1952

WIRE TAPPING

For a number of years wire tapping has been the subject of considerable discussion centering around interpretation of Title 47, U. S. Code, Section 605, commonly known as the Unauthorized Publication Section of the Federal Communications Act of 1934. Due to the diversity of opinion regarding the propriety of wire tapping and use of information obtained therefrom in evidence, attempts have been made to correct the situation by remedial legislation. Various bills have been introduced in the present Congress and one bill in particular, H.R. 1947, contains provisions originally recommended by the Interdepartmental Intelligence Conference and has been sponsored by the Department. This bill would strictly regulate the interception of communications and would enable the prosecution of present, future and past violations of laws endangering the internal security not barred by the Statute of Limitations which would otherwise go unpunished to the detriment of the country. The provisions of this bill will be discussed in detail in this memorandum.

BUREAU POLICY ON WIRE TAPPING PRIOR TO 1931

From the time of the reorganization of the Department under Attorney General Harlow F. Stone until 1931, the practice of wire tapping was not authorized in the Bureau of Investigation, the former name of the Federal Bureau of Investigation. During this period the Olmstead Case (277 US 436) was decided by the U.S. Supreme Court, June 4, 1928, when it was held that wire tapping does not violate the U. S. Constitution's prohibition against unreasonable searches and seizures and evidence so obtained was properly used in that case to convict the defendants. Despite this decision the Bureau of Investigation rule remained unchanged.

In 1931 the Department of Justice had two investigative forces, the Bureau of Investigation, in which wire tapping was prohibited, and the Prohibition Enforcement Bureau, in which wire tapping was utilized. In order that the policy in the Department would be uniform, Attorney General William D. Mitchell directed that regulations on wire tapping be changed to allow such upon the prior authorization of the Director of the Bureau of Investigation. Wiretapping was authorized in this Bureau from 1931 to 1937 only in

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

JED:DB

SECURITY INFORMATION - ~~SECRET~~

these cases involving the safety of victims of kidnapping, the location and apprehension of desperate criminals, in espionage and sabotage cases and other cases considered to be of major law enforcement importance.

In 1934, six years after the Olmstead Case, Congress enacted the Federal Communications Act, 48 Stat. 1064, et seq., superseding the outmoded Radio Act of 1927. Section 605 of the former provides in part: "No person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person."

In the Fall of 1937 the U. S. Supreme Court rendered a decision in the *Nardone Case*, (308 US 379) which involved the conviction of a liquor smuggling ring and it was held that evidence obtained by the interception of the defendants' interstate telephone communications was inadmissible in Federal Court.

Immediately following this decision the Bureau received an opinion from the Department to the effect that Section 605 does not prohibit the tapping of telephone or telegraph wires, but does prohibit intercepting and divulging or publishing the existence, contents, etc., of such communications. The first *Nardone Case* was closely followed by the *Wetzel Case* (308 US 321), which was a mail fraud prosecution. Briefly, this case, which was decided by the United States Supreme Court, December 11, 1939, held that Section 605 of the Federal Communications Act is applicable not only to interstate and foreign communications, but, also, to intrastate communications.

The United States Supreme Court rendered another decision on the same day in the second *Nardone Case* (308 US 338) and it was held that Section 605 not only forbids the use of evidence obtained by wire tapping, but also the use of evidence procured through the use of knowledge gained from such intercepted conversations. In addition, the second *Nardone Case* held the burden is on the accused in the first instance to prove to the trial court's satisfaction that wire tapping was unlawfully employed and when and if this has been proved, then the Trial Judge must give opportunity to the accused to prove that a substantial portion of the case against him was the result of unlawful wire tapping.

After the decision in the second *Nardone Case*, the Bureau was advised that the Supreme Court's decision imposed no restrictions on the use or placing of wire taps which had not existed previously, if any such prohibition did exist.

On March 18, 1940, Attorney General Robert H. Jackson released a statement to the press to the effect that no wire tapping was to be permitted and, accordingly, all wire tapping by the Federal Bureau of Investigation was discontinued immediately.

BUREAU POLICY ON WIRE TAPPING FROM 1940 TO DATE

The late President Franklin D. Roosevelt on May 21, 1940, in a memorandum to Attorney General Robert H. Jackson approved the practice of wire tapping in cases where necessary to protect the national defense. In accordance with this memorandum, all Bureau wire taps were presented to the Attorney General and specific authorization received to make a reinstallation. Since that time as a matter of policy all requests to install wire taps are presented to the Attorney General in writing and specific authorization requested to make the installations.

A year later in a letter dated February 21, 1941, in response to a Congressional inquiry, President Roosevelt set forth the policy that investigating agents should be and were at liberty to secure information by wire tapping in cases involving espionage, sabotage and other subversive activities, as well as in kidnapping and extortion cases. Under such circumstances as described, he said, "Wire tapping is very much in the public interest; it should be used against persons who are not American citizens, as well as those traitorous citizens who would betray their country by espionage or sabotage against it."

Since the two Nardone Cases and the Weiss Case were decided, no attempt was ever made to use as evidence any information obtained by wire tapping and Attorney General Robert H. Jackson told the House Judiciary Committee in a letter dated March 19, 1941, that there were no Federal statutes prohibiting or punishing wire tapping alone and the only offense under the present law was to "intercept any communication and divulge or publish the same."

The next Attorney General, Francis Biddle, took the same position and stated during a press conference on October 8, 1941, that he would continue the Department's position on wire tapping, pointing out that interception alone was not illegal. On April 22, 1942, the U. S. Supreme Court handed down a decision in the Goldstein Case (316 US 114) applicable to wire tapping. The Department advised in reply to this Bureau's request for an opinion that the law on wire tapping remains the same as it was before the decision was rendered. In the Goldstein case it was held that Section 605 does not render inadmissible the testimony of witnesses who were induced to testify

SECURITY INFORMATION - ~~SECRET~~

by the use in advance of trial of intercepted communications to which the defendants were not parties.

None of the foregoing cases held that wire tapping per se is illegal.

The Goldstein Case indicates that information so obtained may be lawfully used under certain circumstances and for certain purposes. The U. S. District Court for the District of Columbia presented a similar view in the William Lewis gambling case (87 Fed. Supp. 970, January 11, 1950) when it stated that there was no violation of the Statute if the conversation is recorded by mechanical or other means at the instance of or with the consent of one of the parties thereto although it was recognized by the Court that the Polakoff Case (112 F.2d 888, June 10, 1940) is to the contrary. Further, the Federal Court in New York City indicated in the Coplon-Gubitchev Case (88 Fed. Supp. 950) on January 20, 1950, that wire tapping is illegal of itself, but ignored the use of the conjunctive "and" in the Statute's provisions that no unauthorized person shall intercept and divulge the contents of a communication.

AUTHORIZATION BY PRESIDENT HARRY S. TRUMAN FOR WIRE TAPPING

The sanction of President Roosevelt for limited wire tapping was reiterated by President Harry S. Truman in 1946. Attorney General Tom C. Clark on July 17, 1946, presented to President Truman a letter from the Attorney General upon which the President noted his concurrence with regard to the authorization by the Attorney General to approve wire tapping in specific cases which include subversive activities or where human life is in jeopardy.

Attorney General J. Howard McGrath on January 8, 1950, released a statement to the press reaffirming the policy and procedure on wire tapping originally approved by President Roosevelt. Judge Sylvester J. Ryan on January 20, 1950, rendered a decision in the Coplon-Gubitchev Case, as previously mentioned, and the Department was requested to advise whether all wire taps should be discontinued pending clarification of the situation. In a reply of February 6, 1950, the Department reaffirmed the present policy. Again, on February 26, 1952, in a memorandum on the subject to this Bureau Attorney General McGrath advised that he did not intend to a) existing policy on wire tapping.

PENDING LEGISLATION TO CORRECT WIRE TAPPING SITUATION

On June 19, 1934, Congress enacted into law a statute providing for the regulation of interstate and foreign communications by wire or radio which is commonly known as the Communications Act of 1934. Section 605 of this Act is concerned with the unauthorized publication of communications. The first portion of this section deals with individuals actually participating in the transmission of messages while the second portion relates to wiretapping and prohibits the unauthorized interception and divulging or publishing by any person of the content, etc., of a communication. The enactment of the Communications Act of 1934 resulted from a special message to Congress by President Roosevelt in which he pointed out the existence of Governmental controlling bodies and public utilities with the exception of those in the communication field. The message urged the enactment of a law to control communications, the setting up of a Federal Communications Commission which would be vested with the authority previously lying in the Federal Radio Commission and with such authority over communications as were contained in the Interstate Commerce Commission.

The purpose of the Communications Act of 1934 was to revise the Radio Act of 1927 and an examination was made of the hearings before the House and Senate Committee prior to the enactment of the Radio Act of 1927 in which first appeared an unauthorized Publication Section, the prohibition which was reincorporated in substance in the Communications Act of 1934 and which has been construed to forbid the interception of messages. The report of these hearings fails to reflect any discussion of that provision, nor the reasons for its enactment. It is to be noted that all Acts prior to the 1934 Act related fundamentally to the Governmental control of communications between rival business enterprises and did not take into consideration the status of an investigative agency of the Government engaged in national defense or criminal investigations. President Roosevelt in his memorandum to Attorney General Jackson on May 21, 1940, and his later letter to a member of Congress dated February 21, 1941, indicated he was aware of the situation, but expressed as his belief that wire tapping by the Government should be used not only for national defense purposes, but to prevent domestic crimes such as kidnapping and extortion in the Federal sense.

The restrictions of Section 605 were brought forcefully to the public's attention in the report of the Joint Committee of Congress on the Investigation of the Pearl Harbor Attack. The report stated that under the Communications Act of 1934 on December 7, 1941, at Pearl Harbor the tapping of wires or other interception of messages between points in the United States, including its territories, and a foreign country was prohibited. In view of the prohibition "the Federal Communications Commission did not intercept any messages over the radio-telegraph, cable telegraph or radio-telephone circuits between the United States (including Hawaii) and Japan prior to

December 7, 1941." The Committee report further stated that the situation should never again be permitted whereby the efforts of our Government to combat forces inimical to our national security are hamstrung by restrictions of our own imposition which aid the enemy and effective steps should be taken to insure that statutory or other restrictions do not operate to the benefit of an enemy or other forces inimical to the nation's security and to the handicap of our own intelligence agencies. In conclusion, the report stated, "The Congress should give serious study to, among other things, the Communications Act of 1934;"

For many years bills have been introduced in Congress relating to wire tapping and one pending bill, H.R. 1947, has been sponsored by the Department. This bill is a culmination of efforts which began in 1946 to correct the inadequacy of existing legislation. On May 20, 1946, the Bureau submitted to the Attorney General the proposals of a Special Committee on Legislation of the Interdepartmental Intelligence Conference, consisting of representatives of the Office of Naval Intelligence, the Military Intelligence Division and the Federal Bureau of Investigation. (The Office of Special Investigations of the Air Force was later added to this Conference.) These recommendations were drawn up on the basis of the experience of these intelligence agencies during World War II. During the course of a study of legislation necessary for the security of the United States the Conference gave consideration to the apparent inadequacies of existing legislation and all recommendations which were made met with the full approval of the three agencies involved. These proposals were contained in a bill which was subsequently enacted into law as the Internal Security Act of 1950, but during consideration of the legislation Section V of the Internal Security Bill, which related to wire tapping, was deleted due to its controversial nature. The wire tapping problem was thereafter presented in a separate bill which carried the recommendation of the Interdepartmental Intelligence Conference and which was transmitted to Congress by the Attorney General in January, 1951, for consideration.

In a letter attached to the bill, the Attorney General pointed out that the proposed legislation restates the present procedure and policy in the Department on the subject with two additions, namely, the information obtained would be admissible in evidence and a severe penalty would be provided for any unauthorized interception of communications. It was further pointed out by the Attorney General that the bill embraces the recommendation of the Interdepartmental Intelligence Conference and that it would cover the operations of Military Intelligence, as well as the FBI, and for

the sake of uniform control and singular fixed responsibility, the Attorney General is designated as the sole rule-making authority. The Attorney General advised that the bill would strictly regulate the interception of communications and enable the prosecution of present, future and past violations of laws endangering our internal security not barred by the Statute of Limitations which would otherwise go unpunished. In conclusion, it was recommended by the Attorney General that the present anomaly whereby existing laws protect our enemies and hamper our protectors deserve correction, as suggested in this bill. Briefly, the bill contains the following:

Section I. This section provides that the heads of the Interdepartmental Intelligence Conference agencies under rules and regulations as prescribed by the Attorney General are authorized in the conduct of investigations involving the safety of human life or to ascertain, prevent, or frustrate any interference or any attempts or plans for interference with the national security and defense by treason, sabotage, espionage, etc. or in any other manner to require that telegrams, cablegrams, radiograms or other wire or radio communications and copies or records thereof be disclosed and delivered to any authorized agent of certain designated agencies or upon the express approval of the Attorney General to authorize their representative agents to obtain information by means of intercepting, listening in on or recording telephone, telegram, cable, radio or any other similar messages or communications without regard to the limitations contained in Section 605 of the Communications Act of 1934.

Section II. In this section it is provided that information acquired or obtained under Section I be admissible in evidence, but only when offered in criminal proceedings in the U. S. Courts arising out of any of the foregoing investigations.

Section III. This section provides that notwithstanding the limitations contained in Section 605 of the Communications Act of 1934 information heretofore obtained upon the express approval of the Attorney General by means of intercepting, etc., be admissible in evidence in U. S. Courts in any criminal prosecution arising out of investigations of the violations set forth in Section I.

Section IV. This is a compliance section and requires that telegrams, cablegrams, et cetera, must be surrendered to any duly authorized person pursuant to Section I.

SECURITY INFORMATION - ~~SECRET~~

Section V. It is forbidden by this section to divulge, publish or use the contents, et cetera, or meaning of any information pursuant to the provisions of this act otherwise than for the purposes enumerated.

Section VI. This section forbids the interception of messages or recording of conversations by anyone other than those authorized pursuant to this act unless such messages or communications are transmitted for the general use of the public or authorization is given by one of the parties to such messages or communications or by reason of his employment in the message or communication system it is necessary for a person to take such action.

Section VII. A penalty is provided in this section of a fine of \$10,000 or imprisonment of not more than two years or both for violation of the act.

Section VIII. This is a saving clause and provides if one provision of the act is held invalid, the validity of the remainder of the act and its applicability shall not be affected thereby.

Section IX. The term "person" is defined and is to include any individual, partnership, association, group of persons, et cetera.

Section X. The Attorney General is authorized in this section to prescribe such rules and regulations as deemed necessary to carry out the provisions of the act.

This bill was introduced in both Houses of Congress and is now resting in Committee of both Houses.

With regard to other pending legislation, the following bills have been introduced in the present Congress:

(1) The Keating Bill - H.R. 479

Representative Kenneth B. Keating on January 3, 1951, introduced H.R. 479 in the House and it was referred to the Committee on the Judiciary. This bill would permit the heads of the interdepartmental Intelligence Conference agencies upon the written approval of the Attorney General to intercept communications in

SECURITY INFORMATION - ~~SECRET~~

connection with certain security investigations and the information so obtained could be used in evidence provided a permit were first issued by any Federal Judge upon proof of reasonable cause.

(2) The Walter Bill - H.R. 406

This bill was introduced in the House on January 3, 1951, by Representative Francis M. Walter and it was referred to the Committee on the Judiciary. It is identical with H. R. 479 and would permit the heads of the Interdepartmental Intelligence Conference agencies upon the written approval of the Attorney General to intercept communications in connection with certain security investigations and the information so obtained could be used in evidence provided a permit were first issued by any Federal Judge upon proof of reasonable cause.

(3) The Neely Bill - S. 257

This bill was introduced in the Senate on January 8, 1951, by Senator Matthew M. Neely, and was referred to the Committee on the District of Columbia. The bill would forbid interception of communications in the District of Columbia except by law enforcement officers of the District of Columbia when conducting investigations involving the safety of human life and in compliance with an order or warrant issued by the United States District Court for the District of Columbia. It would be necessary in order to obtain this order or warrant to show that the interception would provide information leading to the discovery of evidence essential to the solution of the crime involved. The application and supporting documents would remain confidential in the custody of the court. The bill would also forbid any person in the District of Columbia from maintaining in his possession any wiretapping equipment and carries a penalty of five years' imprisonment or five thousand dollars fine or both.

No mention is made in the bill of using the information as evidence in any court proceeding.

The Neely Bill expressly exempts from its provisions the Interdepartmental Intelligence Conference agencies and employees of telephone or telegraph companies acting within the scope of their employment and pursuant to orders.

(4) The Chudoff Bill - H.R. 4404

This bill was introduced in the House of Representatives on June 12, 1951, by Representative Earl Chudoff and was referred

to the Committee on Interstate and Foreign Commerce. The bill is in the nature of an amendment to Section 605 of the Communications Act of 1934. It provides that no officer or employee in the Executive Branch of the Federal Government who participates in a telephone conversation shall make a sound recording of all or any part of such conversation without having first obtained permission from all other parties participating in such conversation. Violations would be punished by fine of not more than \$5,000 or imprisonment for not more than two years or both. Also, any person who was convicted of this violation, if a civilian officer or employee, shall be immediately removed from such employment; or if a commissioned officer in the armed forces, shall be immediately dismissed from the service.

In addition, the bill contains a retroactive provision in that all such sound recordings made prior to the date of the enactment of the Act shall be destroyed unless all persons who participated in the conversation shall approve the retention of such recording.

The Federal Communications Commission in 1945 began consideration of the widespread practice, principally in business establishments, of recording telephone conversations for legitimate use. It was brought out during extensive hearings that in the Federal Government hundreds of recorders were being utilized. By order of November 26, 1947, the Federal Communications Commission declared that recordings would be permissible if suitable warning devices were installed to notify the persons involved that recordings were being made. This device is now in use and consists of a repetitive signal, commonly called a "beep" which occurs approximately every fifteen seconds during the conversation.

As originally issued, the order provided that the warning devices would be furnished by the telephone subscriber and it was contemplated that they would be manufactured by several different companies. The Bell System petitioned the Federal Communications Commission and the order was modified to provide that the automatic tone warning device was to be furnished, installed and maintained by the company responsible for the furnishing of the telephone service. The order as modified became effective June 30, 1948.

The passage of the Department-sponsored bill, H.R. 1947, would correct the present situation on wire tapping as far as this Bureau is concerned. The other bills above described all contain certain objectionable features and in each case these objections have been presented to the Department on an individual basis.

In conclusion, it may be stated that the Director of the Federal Bureau of Investigation and every Attorney General from Homer Cummings to date have stated that indiscriminate wire tapping is an evil which the Department of Justice does not and will not tolerate. There are situations, however, where every Attorney General has authorized with no qualms the Federal Bureau of Investigation to intercept communications. The passage of this bill will do much to correct a basic deficiency in existing legislation which has hampered the intelligence agencies in the discharge of their duties and it should be possible to better safeguard the security of the country in the future.

DIRECTOR
MR. LADD
MR. ROSEN

December 9, 1952

PERSONAL AND ~~CONFIDENTIAL~~
VIA REGISTERED MAIL

Honorable Herbert Brownell, Jr.
140 East 19th Street
New York, New York

Dear Mr. Brownell:

I am enclosing a memorandum for your ready reference on a bill introduced in the Senate by Senator James O. Eastland of Mississippi on April 7, 1952. This bill was designed to correct a previous Act of Congress which was construed to prevent the FBI from investigating such offenses as bribery, fraud against the Government and corruption in the Treasury Department.

Undoubtedly this is a matter which will be brought to your attention shortly after you assume the office of Attorney General. I thought that it would be helpful for you to have background on this proposed legislation.

With best wishes and kind regards,

Sincerely yours,

J. Edgar Hoover

Enclosures (3)

Memo re Eastland Bill
Public Law 79 - 82nd Congress
S. 2980

LBN:arm

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Mohr
Tele. Rm.
Nease
Gandy

29.11.18 2 6 30

RECORDED - 71
INDEXED - 71

62-98585-4

DEC 30 1952



United States Department of Justice
Federal Bureau of Investigation
Washington 25, D. C.

IN REPLY, PLEASE REFER TO

December 8, 1952

FILE NO. _____

Re: THE EASTLAND BILL
(S. 2980, 82d Congress,
2d Session)

The captioned bill was introduced in the Second Session of the 82d Congress by Senator James O. Eastland for the purpose of conferring upon the FBI investigative jurisdiction in matters concerning irregularities on the part of any Federal employee directly related to the duties of his office or employment. The passage of this bill would repeal a provision in Public Law 79, First Session, 82d Congress, which authorized the Treasury Department to investigate irregularities on the part of its own personnel.

There is set forth below a history of (1) the basic jurisdictional conflict that has existed in this regard through the years; (2) Public Law 79, 82d Congress; and (3) the Eastland Bill, Senate Bill No. 2980. The Eastland Bill will expire with the 82d Congress. The Federal Bureau of Investigation is strongly in favor of the introduction and enactment in the 83d Congress of a measure incorporating the provisions of the Eastland Bill.

HISTORY OF JURISDICTIONAL CONFLICT

Until Public Law 79, 82d Congress, was approved (July 16, 1951), it was the position of the Federal Bureau of Investigation that it had jurisdiction over all bribery and related matters because the basic statutes did not confer jurisdiction upon any other agency of the Government. This position was supported by many Attorneys General. We had constantly maintained the position that responsibility for the investigation of bribery and related statutes must be fixed with one specific Governmental agency and that the Federal Bureau of Investigation was that agency.

The jurisdictional difficulties of the Federal Bureau of Investigation with the Treasury Department concerning bribery and related matters dates back to at least 1924 and at no time since then has the Treasury Department recognized our jurisdiction in these matters. In many instances the Treasury Department interfered with our investigations when its co-operation was sought.

62-98585-4

The Treasury Department has taken the position that it had the jurisdiction and the responsibility to investigate bribery and fraud on the part of its own personnel. It has not conceded that jurisdiction rested with the FBI although many Attorneys General urgently sought the co-operation of that Department in referring bribery cases to the Federal Bureau of Investigation for investigation. Throughout all of these efforts the Treasury Department was uncompromising in its position as, for example, a letter from former Secretary of Treasury Henry Morgenthau, Jr., to former Attorney General Francis Biddle dated March 8, 1944, stated in part, "Since the creation of the Intelligence Unit of the Bureau of Internal Revenue twenty-five years ago, it has had as one of its important responsibilities the investigation of misconduct, including criminal misconduct such as embezzlement or acceptance of bribes, by Bureau employees."

Throughout the years the FBI sought to secure a clarification of this jurisdictional conflict. We were, therefore, relegated to the position of endeavoring to investigate the bribery of Treasury personnel on a "catch-as-catch-can basis." The situation obviously hampered our investigative responsibilities very seriously since it is most difficult in all instances and impossible in some instances to prove a bribery violation without some co-operation from the agency involved. Our files reflect that representatives of the Treasury Department on occasion even refused to furnish personnel-type information or to permit us to interview its employees.

HISTORY OF PUBLIC LAW 79

On April 26, 1950, the Department of Justice furnished the Federal Bureau of Investigation with a copy of this bill which had been introduced in the Senate for the stated purpose of providing basic authority for the Secret Service. Our views were solicited. It was noted that the proposed legislation gave the Secret Service authority to investigate violations of the laws of the United States in connection with matters administered by the Treasury Department.

Upon receipt of the proposed legislation, an immediate protest was made to the Department of Justice on the premise that while the legislation ostensibly pertained to the Secret Service, it could be construed by the Treasury Department to

give that Department jurisdiction over bribery and other matters insofar as its own personnel were concerned without limitation to the Secret Service which was but one agency of the Treasury Department. It was pointed out that this would be an encroachment upon the well-defined jurisdiction of the FBI. Over a period of time, additional protests were made to the Department of Justice concerning this bill.

Conferences were held with representatives of the Department of Justice with reference to this bill, and they were furnished with all of the available background material concerning our clear-cut jurisdiction in the matters in question. Representatives of the Department attended hearings held on this legislation before the Senate and House Committees on the Judiciary during March 1951. Representatives of the Treasury Department also appeared to present their arguments on behalf of the passage of the bill. There are set forth briefly below the positions taken by the Department of Justice and the Treasury Department during these hearings:

Department of Justice

- (1) The FBI has exclusive investigative jurisdiction over all violations of Federal Statutes not specifically assigned to another agency.
- (2) There should not be a divided responsibility for the investigation of violations of a specific Statute. In the interests of efficiency and economy, responsibility should be vested in one agency.
- (3) The broad terminology in this bill would invite jurisdictional conflicts between the Treasury Department and the FBI.
- (4) If other Government agencies unjustly assumed, as does the Treasury Department, that they have authority to investigate Federal violations by personnel of their own agencies, a chaotic situation would exist in law enforcement.

Treasury Department

- (1) Secret Service has had the identical language to which the Department now objects, incorporated in its Appropriations Bills since 1922.

- (2) The Treasury Department, of necessity, must have the authority to investigate matters such as Bribery, Fraud Against the Government, Embezzlement of Government Property, etc., on the part of its own personnel in order to perform its authorized functions.

On April 27, 1951, then Attorney General J. Howard McGrath, at the conclusion of a conference with the Secretary of the Treasury, directed letters to the interested Senate and House Committees which stated that the Department of Justice had no objection to the enactment of this legislation. On May 18, 1951, then Attorney General McGrath advised that he regretted having to yield to the Treasury Department in connection with the jurisdictional dispute regarding the aforementioned legislation, but that he had been practically forced to do so.

Enactment of Public Law 79

Public Law 79, 82d Congress, was approved on July 16, 1951. The pertinent portion thereof authorized the Secret Service, subject to the direction of the Secretary of the Treasury, to "detect and arrest any person violating any laws of the United States directly concerning official matters administered by and under the direct control of the Treasury Department." This law amended Section 3056, Title 18, United States Code (Secret Service Powers).

Since the enactment of this legislation, the FBI has been precluded from conducting investigations involving bribery or fraudulent practices relating to matters within the administrative jurisdiction of the Treasury Department. Accordingly, any such matters coming to the attention of this Bureau are immediately referred to the Treasury Department for its consideration.

HISTORY OF THE EASTLAND BILL (S. 2980, 82d Congress)

Subsequent to the enactment of Public Law 79 and with the widespread publicity given to the many Internal Revenue scandals, the provisions of the law came to the attention of a large segment of the American public. Thereafter, on April 7, 1952, Senator James O. Eastland of Mississippi introduced Senate Bill 2980. This bill directs the head of every agency

in the Executive Branch of the Government to expeditiously refer to the Federal Bureau of Investigation any information, complaint or allegation that any officer or employee of such agency has committed, attempted to commit, or conspired with any other person to commit bribery, fraud against the Government, the making of any false claim against the Government, theft, embezzlement, illegal possession, receiving, or destruction of Government property, impersonation of any Federal officer or any other act directly related to the duties of his office or employment which constitutes a violation of any provision of Title 18, which is the Title of the United States Code relating to crimes and criminal procedure.

Under this bill the Federal Bureau of Investigation is then required to conduct such investigation as its Director may deem to be warranted. Thereafter, it is required that the results of such investigation be referred to the Attorney General for such prosecutive action as may be indicated. The bill makes specific reference to Section 3056, Title 18 (Secret Service Powers), stating that notwithstanding the provisions of that section, all matters as described above are to be expeditiously referred to the FBI for investigation. The bill would in effect repeal the provision in Public Law 79 which authorizes the Treasury Department to investigate irregularities on the part of its own personnel. Since the introduction of this bill, we have strongly urged the Department of Justice to implement passage of this bill.

Post Office Agreement

On April 20, 1938, an agreement was reached by the representatives of the Post Office Department, the Department of Justice, and the Federal Bureau of Investigation whereby the Post Office Department was given jurisdiction, among other matters, over offenses committed by Postal employees in Post Office buildings. On September 10, 1952, Deputy Attorney General Ross L. Malone, Jr., advised the FBI that the Eastland Bill, if enacted, would abrogate the above-mentioned agreement. However, the Bureau continues to strongly urge enactment of legislation accomplishing the purposes of the Eastland Bill.

Attitude of Other Government Agencies

The bill was referred to the Senate Judiciary Committee which in turn forwarded it to the Bureau of the Budget. That agency has referred the matter to the various Executive Agencies

for their comments. We have been confidentially informed that the Commerce and State Departments, General Services Administration, and the Atomic Energy Commission commented favorably on the bill, while the Post Office, Interior, and Agriculture Departments and the Federal Trade Commission have recommended against its enactment on the basis that this legislation would make it impossible for them to exercise proper administrative control over their personnel. In this regard we wrote to Attorney General McGranery on September 24, 1952, and stated emphatically that the FBI had neither the intention nor the desire to project itself into the administrative affairs of any other Government agency. We have not been advised whether the other agencies of the Executive Branch have replied to the Bureau of the Budget.

Confidential information has been received that a representative of the Budget Bureau contacted the Commerce Department and stated that there had been considerable opposition to the measure on the part of certain unidentified Executive Departments. It was suggested to the Commerce Department by the Budget representative that it might want to reconsider its endorsement.

Status of Bill

The Eastland Bill will expire with the 82d Congress. On September 10, 1952, Deputy Attorney General Malone was advised that while the FBI favored this legislation, the matter of deciding whether it was to be introduced in the 83d Congress as a Departmental measure was a decision for the Department.

The Federal Bureau of Investigation strongly urges the implementation of legislation in the forthcoming session of Congress which would accomplish the purposes of the Eastland Bill.

A copy of Public Law 79, 82d Congress, and a copy of the Eastland Bill (S. 2980) are attached.

Attachments (2)

Public Law 79 - 82d Congress
Chapter 226 - 1st Session
H. R. 2395

AN ACT

To amend title 18 of the United States Code, entitled "Crimes and Criminal Procedure", to provide basic authority for certain activities of the United States Secret Service, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 331 of title 18, United States Code, is amended to read as follows:

"§ 331. Mutilation, diminution, and falsification of coins

"Whoever fraudulently alters, defaces, mutilates, impairs, diminishes, falsifies, scales, or lightens any of the coins coined at the mints of the United States, or any foreign coins which are by law made current or are in actual use or circulation as money within the United States; or

"Whoever fraudulently possesses, passes, utters, publishes, or sells, or attempts to pass, utter, publish, or sell, or brings into the United States, any such coin, knowing the same to be altered, defaced, mutilated, impaired, diminished, falsified, scaled, or lightened—

"Shall be fined not more than \$2,000 or imprisoned not more than five years, or both."

SEC. 2. Section 475 of title 18, United States Code, is amended to read as follows:

"§ 475. Imitating obligations or securities; advertisements

"Whoever designs, engraves, prints, makes, or executes, or utters, issues, distributes, circulates, or uses any business or professional card, notice, placard, circular, handbill, or advertisement in the likeness or similitude of any obligation or security of the United States issued under or authorized by any Act of Congress or writes, prints, or otherwise impresses upon or attaches to any such instrument, obligation, or security, or any coin of the United States, any business or professional card, notice, or advertisement; or any notice or advertisement whatever, shall be fined not more than \$500."

SEC. 3. Section 489 of title 18, United States Code, is amended to read as follows:

"§ 489. Making or possessing likeness of coins

"Whoever, within the United States, makes or brings therein from any foreign country, or possesses with intent to sell, give away, or in any other manner uses the same, except under authority of the Secretary of the Treasury or other proper officer of the United States, any token, disk, or device in the likeness or similitude as to design, color, or the inscription thereon of any of the coins of the United States or of any foreign country issued as money, either under the authority of the United States or under the authority of any foreign government shall be fined not more than \$100."

SEC. 4. Section 3056 of title 18, United States Code, is amended to read as follows:

"§ 3056. Secret Service powers

"Subject to the direction of the Secretary of the Treasury, the United States Secret Service, Treasury Department, is authorized to protect the person of the President of the United States and members of his immediate family, the President-elect, and the Vice President at his request; detect and arrest any person committing any offense against the laws of the United States relating to coins, obligations, and securities of the United States and of foreign governments; detect and arrest any person violating any of the provisions of sections 508 and 509 of this title and, insofar as the Federal Deposit Insurance Corporation, Federal land banks, joint-stock land banks and national farm loan associations are concerned, of sections 218, 221, 433, 493, 657,

62-58585-4

709, 1006, 1007, 1011, 1013, 1014, 1907, and 1909 of this title; detect and arrest any person violating any laws of the United States directly concerning official matters administered by and under the direct control of the Treasury Department; execute warrants issued under the authority of the United States; carry firearms; offer and pay rewards for services or information looking toward the apprehension of criminals; and perform such other functions and duties as are authorized by law."

SEC. 5. (a) Section 201 of title 3, United States Code, is hereby repealed.

(b) The analysis of chapter 3 of title 3, United States Code, is amended by striking out the item "201. Protection of President and family authorized."

(c) The analysis of chapter 25 of title 18, United States Code, immediately preceding section 471 of such title, is amended by striking out the words "; publisher's illustrations excepted" in item 489.

Approved July 16, 1951.

82^d CONGRESS
2^d SESSION

S. 2980

IN THE SENATE OF THE UNITED STATES

APRIL 7 (legislative day, APRIL 2), 1952

MR. EASTLAND introduced the following bill; which was read twice and referred to the Committee on the Judiciary.

A BILL

To authorize and direct the investigation of certain offenses of officers and employees of the executive branch by the Federal Bureau of Investigation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That notwithstanding the provisions of section 3056 of title
4 18 of the United States Code, as amended, or any other
5 provision of law, the head of each department or agency
6 of the executive branch of the Government upon receipt
7 of any information, allegation, or complaint alleging that
8 any officer or employee of such department or agency has
9 committed, or attempted to commit, or has conspired with
10 any other person to commit bribery; fraud against the Gov-

62-98585-4

1 ernment; the making of any false claim against the Govern-
2 ment; theft; embezzlement; illegal possession, receiving or
3 destruction of Government property; impersonation of any
4 Federal officer; or any other act directly related to the
5 duties of his office or employment which constitutes a viola-
6 tion of any provision of title 18 of the United States Code,
7 shall immediately refer such information, or allegation or
8 complaint in the most expeditious manner possible to the
9 Director of the Federal Bureau of Investigation for such
10 investigation as the Director may deem to be warranted by
11 the facts. Upon completion of such investigation, the
12 Director shall refer the reports of the Federal Bureau of
13 Investigation thereon to the Attorney General for such prose-
14 cutive action as may be warranted by the facts.

82^d CONGRESS
2^d SESSION

S. 2980

A BILL

To authorize and direct the investigation of certain offenses of officers and employees of the executive branch by the Federal Bureau of Investigation, and for other purposes.

By Mr. EASTLAND

APRIL 7 (legislative day, APRIL 2), 1952

Read twice and referred to the Committee on the
Judiciary

SECURITY INFORMATION - ~~CONFIDENTIAL~~

cc: The Director
Mr. Ladd

December 9, 1952

VIA REGISTERED MAIL

Honorable Herbert Brownell, Jr.
140 East 19th Street
New York, New York

Dear Mr. Brownell:

I am enclosing a copy of a memorandum entitled
"Defense Functions of the Federal Bureau of Investigation,"
along with a series of charts depicting our activities in
the Internal Security field.

The attached memorandum gives a brief resume of
the Internal Security responsibilities of the Federal
Bureau of Investigation, which I thought you might be
interested in reading.

With best wishes and kind regards,

Sincerely yours,

J. Edgar Hoover

Enclosures (2)

LBN:MP

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Mohr _____
Tele. Rm. _____
Nease _____
Gandy _____

SECURITY INFORMATION - ~~CONFIDENTIAL~~

SECURITY INFORMATION - ~~CONFIDENTIAL~~

December 8, 1952

**DEFENSE FUNCTIONS OF THE
FEDERAL BUREAU OF INVESTIGATION**

The FBI is the general investigative arm of the Department of Justice and, as such, has been trusted with certain specific and general investigative responsibilities by the Congress, the Attorney General and the President of the United States. Many of these responsibilities play a direct part in defense during the present emergency. The defense functions of the FBI stem from our domestic intelligence operations and general investigations. In addition, the FBI has various co-ordinating and co-operative responsibilities which concern the defense effort. Briefly outlined hereinafter is a summary of the defense functions of the FBI:

I. INVESTIGATIVE RESPONSIBILITIES

A. Domestic Intelligence

L. The FBI's responsibilities in the domestic intelligence field, as the result of legislative enactments, presidential directives and instructions of the Attorney General, include the general responsibilities of investigative matters relating to espionage, counterespionage, sabotage, treason, sedition, failure of agents of foreign principals to register, subversive activities and related domestic intelligence matters. The various laws of the United States, including the Internal Security Act of 1950, bring within the investigative jurisdiction of the FBI the activities of the Communist Party, USA, its leaders and members, Communist front organizations, other totalitarian organizations, as well as any other subversive individuals or groups ranging from the Nationalist Party of Puerto Rico to the Ku Klux Klan which are alleged either to seek the overthrow of the Government of the United States by force or violence or to conspire against the rights of citizens. The FBI has the responsibility for investigating these matters in the continental United States and in the Territories of Hawaii, Puerto Rico, Virgin Islands,

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Mohr _____
Tele. Rm. _____
Nease _____
Gandy _____

Original to Mr. Herbert Brownell, ⁵⁵⁻¹⁰²⁻¹⁰⁷⁶
Attorney General-Designate I

ISA:lih

SECURITY INFORMATION - ~~CONFIDENTIAL~~

62-98585-5

SECURITY INFORMATION - ~~CONFIDENTIAL~~

and Alaska, except the Aleutian Islands area and a portion of the Alaskan peninsula. Any information reflecting a violation of Federal law is referred to the Department of Justice for an opinion as to prosecution.

2. Another group of operations by the FBI in the domestic intelligence field concerns applicant and employee investigations arising from legislative enactments and Presidential directives requiring the FBI to ascertain facts pertinent to the loyalty of employees and applicants for positions in the Government's service or in activities in which the Government has a specific interest. Examples of this group of operations are:

a. The Atomic Energy Act of 1946, which requires the FBI to investigate all violations of the criminal provisions of the Act, as well as applicants for sensitive positions in connection with the Atomic Energy Program.

b. The Federal Employees Loyalty Program, which requires the FBI to check applicants' or employees' names against its files for any information which reflects on the loyalty of the individual. Preliminary or full field investigations are conducted in those instances where disloyal data is uncovered.

c. Investigations of applicants for the Department of Justice and other Government agencies. Congress has passed many pieces of legislation containing the condition that before the person can be appointed he must be investigated by the FBI.

B. General Investigations

1. In addition to the FBI's responsibilities in the domestic intelligence field, there are many general criminal investigations which play a large part in the defense effort. Since the FBI is charged with the investigation of violations of Federal criminal statutes, except those specifically assigned to another agency, the responsibilities are many and varied. Included in this group are various statutes concerned with Fraud Against the Government, Bribery, Theft and Embezzlement of Government Property, Crimes on Government Reservations, Impersonation

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Mohr _____
Tele. Rm. _____
Nease _____
Gandy _____

SECURITY INFORMATION - ~~CONFIDENTIAL~~

and Illegal Wearing of the Uniform. Investigations in this group frequently result in saving large sums of money for the Government as a result of detection of fraud or theft in connection with matters of great concern of the defense program. Through the various renegotiation acts the Government has been able to recover excess profits totalling many millions of dollars. In addition, under the Selective Service Acts, many thousands of individuals have been made available to the Armed Services. Investigations to locate deserter fugitives from the Armed Services are also conducted by the FBI upon the request of the respective branches of the Armed Forces.

II. CO-ORDINATING AND CO-OPERATIVE RESPONSIBILITIES

A. In order to co-ordinate domestic intelligence matters with world-wide intelligence as related to our national security, the Bureau is represented on various committees which have been set up under the National Security Council. These committees are:

1. The Interdepartmental Intelligence Conference, of which the Bureau is a member, along with the Office of Naval Intelligence, G-2 of the Army, and the Office of Special Investigations of the Air Force, to co-ordinate the investigation of domestic espionage, counterespionage, sabotage, and related intelligence matters.

2. The Intelligence Advisory Committee, which prepares national intelligence estimates for the National Security Council and the President, on which the FBI is represented in order that domestic intelligence may be co-ordinated with foreign intelligence.

3. The FBI is also represented on two highly confidential committees concerned with our national security which have been set up under the National Security Council in accordance with provisions of the National Security Act of 1947.

In addition to the co-ordinating activities of these committees set up under the National Security Council, the FBI is called upon from time to time to serve on other co-ordinating committees, such as those concerned with radio frequency matters and high level conferences among the intelligence

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Mohr _____
Tele. Rm. _____
Nease _____
Gandy _____

SECURITY INFORMATION - ~~CONFIDENTIAL~~

agencies. In addition, during wartime, it can be expected that other committees directly related to the defense effort would be set up on which the Bureau would be required to serve, such as wartime screening panels for the control of foreign travel.

B. In connection with the FBI's co-operative responsibilities, the FBI performs fingerprint checks for other Government agencies having defense responsibilities. The value of the fingerprint identification work in connection with the defense effort is demonstrated by the fact that many undesirable persons are eliminated from the Federal Government, either at the time they apply for positions or when the fingerprints are taken after their employment. The Identification Division of the FBI also renders aid in the control of aliens, such as the work of checking fingerprints of displaced persons, of immigrants arriving in this country and applicants for citizenship. In addition, the facilities of the FBI Laboratory are available to the intelligence agencies of the United States Government and other Government agencies.

III. ~~SPECIAL RESPONSIBILITIES~~

The FBI, in discharging its responsibilities in the internal security field, has continued to emphasize investigative work relating to individuals considered dangerous or potentially dangerous to the internal security, in order to identify those individuals whose subversive activities are so pronounced that their continued liberty in the event of an emergency would present a serious threat to the security of this country, and to provide a basis for appropriate measures regarding alien enemies and enemy representatives.

In addition, the FBI has certain specialized defense functions and with regard to these functions operates as a member of the Inter-departmental Intelligence Conference and the Intelligence Advisory Committee and other bodies created by the National Security Council. In connection with our participation in the work of such bodies, the FBI makes plans and recommendations on all aspects relating to the internal security of the United States.

Rolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Mohr _____
Tele. Rm. _____
Nease _____
Gandy _____

SECURITY INFORMATION - CONFIDENTIAL

In order that the FBI might be apprised of subversive activities, as well as efforts on the part of espionage agents to elicit vital information, a system of informant coverage has been established in the various plants designated as key facilities by the Secretary of Defense. In a further effort to keep the FBI advised of any subversive activities in highly industrialized areas which might affect the war effort, we have initiated a program of developing sources of information among members of the American Legion.

IV. GENERAL RESPONSIBILITIES

As a result of various Presidential directives, the FBI has the responsibility of correlating information regarding espionage, sabotage, subversive activities and related matters on a national basis and of referring matters under the jurisdiction of any other Federal agencies in these fields to the appropriate agencies. These Presidential directives requested all police officers, sheriffs, and all law enforcement officers in the United States to promptly turn over to the nearest representative of the FBI any information obtained by them relating to the afore-mentioned matters. Under these Presidential directives, the FBI has co-ordinated activities of police agencies in these matters. The FBI assists in the conducting of police training schools throughout the country for municipal, county, and state law enforcement agencies for the purpose of improving their investigative techniques and increasing their effectiveness in carrying out their law enforcement responsibilities. This training is also for the purpose of more closely co-ordinating the work of the local agencies with that of the FBI and other federal agencies in the criminal and security fields. These schools serve to better acquaint local officers with the responsibilities of the FBI in security matters, as well as enabling them to more effectively assist this Bureau in this field. The FBI also operates the FBI National Academy, the purpose of which is to train state, municipal, and county law enforcement officers as instructors and executives in the field of law enforcement.

As a result of the afore-mentioned Presidential directives, the National Security Act of 1947 and the views expressed by the Attorney General, the FBI disseminates a large volume of information to other agencies in the Executive Branch of the Federal Government. As a part of this program, the

- 5 -

SECURITY INFORMATION - CONFIDENTIAL

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Mohr _____
Tele. Rm. _____
Nease _____
Gandy _____

SECURITY INFORMATION - ~~CONFIDENTIAL~~

FBI makes name checks of its files for the various agencies in the Executive Branch of the Government. By reason of this function, the FBI is inescapably tied in with all defense matters. Over 1,250,000 name checks for the other agencies of the Government were made during the fiscal year 1952, in addition to the names checked under the Federal Employees Loyalty Program. These inquiries from the other agencies concern, among others, persons being considered for access to confidential information or for access to restricted areas; persons and organizations doing business with or otherwise of interest to other Government agencies; persons being considered for deportation and applicants for naturalization; persons considered under the Coast Guard's Port Security Program; and persons of interest to or being considered by the President or other high Government officials.

In addition to the FBI's responsibility to furnish information to other Government agencies in response to requests from them, the Bureau during the course of its regular investigations is alert to disseminate information of interest to the intelligence agencies and other agencies in the Executive Branch of the Government which, it is believed, may be of interest to them or may affect the general welfare. During the FBI's investigations, particular attention at all times is given to information indicating any Soviet-Communist hostile action which is, of course, of great concern in connection with our national security.

As a part of its general responsibilities in the domestic intelligence field, the FBI also conducts considerable research in all phases of Communism and the intelligence operations of the Soviets and their satellites in order to determine the tactics of Soviet Russia and the satellite countries. Many of the various studies prepared in this field are furnished to other intelligence agencies who have, on a number of occasions, commented favorably concerning the value of these research studies in their own agencies.

Attached are six charts depicting various defense functions of the FBI which may be of assistance to you in connection with this matter.

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Mohr _____
Tele. Rm. _____
Ingram _____

- 6 -

SECURITY INFORMATION - ~~CONFIDENTIAL~~

cc: The Director
Mr. Ladd

December 9, 1952

PERSONAL AND ~~CONFIDENTIAL~~

REGISTERED MAIL

for 2-1

Honorable Herbert Brownell, Jr.
140 East 19th Street
New York, New York

Dear Mr. Brownell:

As a matter of possible interest, I am enclosing
a memorandum describing the Ten Most Wanted Fugitives
Program of the FBI.

With best wishes and kind regards,

Sincerely yours,

J. Edgar Hoover

Enclosure

LBN:MP

M.P.

personally delivered
by Mr. J. Holloman

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 12 1952	
FBI - NEW YORK	

RECEIVED

DEC 9 6 38 PM '52

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Mohr _____
Tele. Rm. _____
Nease _____
Gandy _____

6 DEC 29 1952

RECORDED - 70
INDEXED - 70
DEC 12 1952
15. 12 15 8

62-98585-6

SL

W

December 9, 1952

TEN MOST WANTED FUGITIVES PROGRAM

A Program designed to publicize the Ten Most Wanted Fugitives was inaugurated on March 14, 1950. From March 14, 1950, to March 24, 1950, a photograph and descriptive narrative of each of the Ten Most Wanted Fugitives were published by International News Service and the Associated Press and United Press similarly carried their photographs and details of their fugitive status.

From its commencement this Program has successfully served its purpose in joining together the ranks of law enforcement with the public-minded citizenry in the ceaseless battle against crime. It has proven exceedingly valuable in effecting the location and apprehension of the more dangerous and vicious type of fugitives in FBI cases.

Experience has demonstrated that in cases involving heinous and vicious crimes the criminal, either by design or through fear, hurriedly flees from the locality of the crime. The violator usually severs all association with acquaintances and favorite haunts. Frequently few bits of information and few leads remain to aid the FBI in the search for these fugitives.

This Program effectively opens new avenues of information concerning the fugitive's activities and focuses the spotlight of nationwide publicity upon the wanted criminal.

Since the inception of this Program in March of 1950, thirty fugitives have been brought to justice. All of the original list except one have been apprehended. Twenty of these fugitives have been arrested by FBI Agents, one has surrendered to a United States Attorney, and nine have been arrested by local police officers. Thirteen of these arrests can be attributed to alert citizens who recognized photographs and descriptions of the fugitives as publicized in newspapers, magazines, over the radio, and in FBI wanted notices.

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

cc - Director
cc - Mr. Ladd
cc - Mr. Nichols

L.J. Heim:jec

ENCLOSURE

Although newspapers and news stories in the past published photographs of criminals sought by the FBI, the Ten Most Wanted Fugitives series, inaugurated by International News Service, marks the initial concentrated Program in which photographs, together with graphic accounts of the criminal activities of fugitives, are carried.

This Program is not one of glamorization. The hardened public menaces on the list are brought before the public gaze in their true light --- murderers, bank robbers, escaped prisoners, thieves, and burglars. As indicated by these facts the Ten Most Wanted Fugitives Program has been a most effective instrument in eliminating this vicious type of fugitive --- a threat to the security of the American community.

The following is a current listing of the Ten Most Wanted Fugitives:

Henry Randolph Mitchell, the only remaining member of the original list, participated in the \$10,353 daylight robbery of a Williston, Florida, bank on January 21, 1948.

Frederick J. Tenuto is being sought for unlawful flight to avoid confinement for the crime of murder, after escaping from the Philadelphia County Prison at Holmesburg, Pennsylvania, on February 10, 1947.

Sydney Gordon Martin, who shot and robbed a farmer near Belchertown, Massachusetts, on June 1, 1950, is the subject of a nationwide search, charged with unlawful flight to avoid prosecution for assault with a dangerous weapon.

Kenneth Lee Maurer, characterized as a shy and retiring youth, is charged with unlawful flight to avoid prosecution for the bloody murders of his mother and young sister on November 26, 1951, at his home in Detroit, Michigan.

Isaie Aldy Deausoleil, described as a "lone-wolf" type who always carries a revolver, is being sought for unlawful flight to avoid prosecution for the murder of a woman in Monroe County, Michigan, in August, 1949.

James Eddie Diggs, who shot and killed his wife and two young sons at their home in Norfolk, Virginia, on May 26, 1949, is wanted for unlawful flight to avoid prosecution for this triple crime.

Nick George Montos, the leader of a notorious Southern gang of burglars and safe-crackers, is wanted for unlawful flight to avoid prosecution for the armed robbery of an elderly man and his sister at Alma, Georgia, on August 11, 1951.

Theodore Richard Byrd, Jr., who has passed more than \$40,000 worth of fraudulent checks throughout the Midwest and Southwest since October, 1951, is being sought for interstate transportation of stolen property.

Harden Collins Kemper, the leader of a Southwest automobile theft ring, was released on bond after being convicted of conspiracy to violate the Interstate Transportation of Stolen Motor Vehicle Statute and forfeited this bond on December 17, 1951, when he failed to appear as ordered at Albuquerque, New Mexico.

John Joseph Brennan, who has boasted that he will "never be taken alive," is wanted for the \$40,000 bank robbery at Lyons, Illinois, on August 1, 1952.

December 9, 1952

**CURRENT PROPOSALS FOR A FEDERAL AGENCY TO
DISSEMINATE CRIME INFORMATION AND FOR STATE
CONTROL OF LOCAL POLICE AND PROSECUTORS**

The American Bar Association established a Commission on Organized Crime on September 14, 1950. This Commission, with Judge Morris Ploscome (of New York City) as Executive Director, was authorized to cooperate with the Special Senate Committee to Investigate Organized Crime in Interstate Commerce (the Kefauver Committee) and to make studies in the field of organized crime.

The Final Report of the Commission on Organized Crime was issued September 2, 1952. Included in its recommendations were the following items:

1. That a Federal agency be established to disseminate to local law enforcement agencies information concerning organized crime.
2. That a model State Department of Justice Act, giving the Attorney General or Director of such a department jurisdiction over all local prosecutors, be proposed to the various States' legislatures.
3. That a model Police Council Act be proposed giving the state direct control over all local law enforcement agencies by a system of inspection and reports and requiring all law enforcement officers to receive police training.

**BACKGROUND RE FEDERAL AGENCY TO DISSEMINATE
CRIME INFORMATION:**

The Kefauver Committee in its Final Report, dated August 31, 1951, recommended the establishment of an independent Federal agency in the Executive branch to be called the "National Crime Coordinating Council." This agency would foster the

A. V. Hart:mml
cc - Director
Mr. Ladd
Mr. Nichols

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

JONES 136 ✓
(need file copy)

62-98585-7

may

2/1 MAY 1953

establishment of private crime commissions and serve as a clearinghouse of information of interest to them. It would also inquire into organized crime and make the results of its study available to interested agencies.

The Final Report of the Commission on Organized Crime urged passage of such legislation and stressed the need for such Federal action to combat crime. The Commission adopted as its own a similar proposal of Chief of Police Parker of Los Angeles, California. Chief Parker recommended that there be Federal assumption of responsibility by a newly created agency or an existing one to make a nation-wide study of syndicated crime and to make available the information obtained to local law enforcement agencies.

CURRENT STATUS OF PROPOSAL:

The House of Delegates of the American Bar Association, at the Association's September, 1952, convention in San Francisco, California, approved the Commission's recommendation. The International Association of Chiefs of Police, at its September, 1952, convention in Los Angeles, California, passed a resolution proposed by Chief of Police Parker calling for a Federal agency to study organized crime and furnish appropriate information to local law enforcement agencies.

The Washington, D. C., Evening Star, in its issue of August 22, 1952, carried a story headlining a statement by Senator Kefauver that he would propose the creation of a permanent Federal crime commission at the next session of Congress.

OBJECTIONS TO THE PROPOSAL:

1. The Commission's recommendation is based on a failure to realistically analyse the actual problem facing local law enforcement agencies. It has little real utility, since the basis of crime is local and the gambling house, brothel or warehouse receiving stolen merchandise all violate local laws and can be readily coped with by unfettered and active police. Handling crime on the local level effectively deals with the underworld "czar" by cutting off his revenue and reducing his operation to the local level.

2. The difficulties experienced in curbing organized crime and vice are basic. They are (1) failure by police to

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

take action because of pressure or inertia or (2) failure to take action due to lack of admissible evidence. The proposed Federal agency will not cure either difficulty.

3. If a violation of law exists and there is admissible evidence obtainable to substantiate it, the local law enforcement agency needs little help from any Federal agency. If such evidence is not available, information gathered by the proposed Federal agency would be merely the preparation of a black list or scandal sheet, without evidence. It would function by disseminating unsupported allegations thoroughly damning the subject of the allegation without legal, admissible proof. This is just too dangerous a thing to seriously contemplate.

4. If the Federal agency is to be useful, it must provide the basis for some action. If action is taken, we can be sure that much of it will be initiated on the basis of the Federal "dossier" with resulting violations of the rights of the subject of the reports disseminated in the dossier. If the information to be disseminated is restricted to clear and factual things, such as arrests and prison commitments, the proposed agency already exists in the FBI Identification Division. In addition the FBI now lends its fullest cooperation to law enforcement agencies unless (1) they are corrupt, (2) cannot keep confidences or (3) are so inefficient that cooperation would hinder the work of the FBI. A proposal for a Federal agency to disseminate information to local authorities could provide a ready intelligence system for the underworld since it is known that some officials are under obligation to the underworld.

5. If such a Federal agency were created, there would be immediate demand that it handle the failures of local law enforcement. This would result in a form of supervision over local agencies and would be a short step from the creation of a national police force.

BACKGROUND ON THE MODEL STATE DEPARTMENT OF JUSTICE ACT:

This is not a new idea and state control of prosecutors already exists in some states, usually in the form of power to remove prosecutors.

The proposal was considered by the American Bar Association itself in the early 1930's.

WHAT THE ACT PROVIDES:

The Commission's report indicates that the model Act is aimed at more uniform efficiency and better coordination in the process of investigation and prosecution of crimes. It would do this by increasing state supervision and control of local officials.

The Act creates a department in the State government called the Department of Justice (or of Criminal Justice) and makes the Attorney General (or the Director of the Department) the chief law enforcement official of the state.

The authority of the Department head includes his traditional powers and in addition he is required to consult with the various local prosecutors and generally supervise them. The Act provides that any prosecutor may request the assistance of the Attorney General in any criminal investigation or prosecution and the Attorney General thereafter may "take whatever action he deems necessary to assist." He is also given authority to supersede any prosecutor or intervene in any manner, under certain conditions. He is given additional authority to supersede and relieve a prosecutor whenever "in the opinion of the Attorney General the criminal laws of the state are not being enforced."

The Act contains additional provisions about the appointment of Assistant Attorneys General, for removal of prosecutors by the Governor and for detailed reports by the Attorney General, to include abstracts of annual reports from the various local prosecutors.

CURRENT STATUS:

The House of Delegates of the American Bar Association approved the Act at the September, 1952, convention. It may be expected that the Act will, in due course, be presented to State legislatures for consideration.

OBJECTIONS TO THE ACT:

1. For many decades, in most parts of the United States, it has been traditional that the local prosecutor is an independent official, independent of all pressure except that of the electorate. The proposed Act makes the prosecutor responsive to the State Capitol rather than to the people whom he serves in his community or district.

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

2. The Act represents an authoritarian view, getting the authority in one hand and under one head--the Attorney General or the Department Director. It broadens the effect of inefficiency or inertia where they are present in the State Capitol. It puts a target for venality in one place instead of many.

3. The Act sets up a unified structure of prosecutors unresponsive to the people of various communities and offers little except the guarantee that the State Capitol will control prosecutions. It may be argued that this will not happen, that the Attorney General will not exercise his authority and that things will proceed as before except that the Attorney General or the Department Director will be able to step into the messy situations. This, unfortunately, is an ideal viewpoint in a venal world. The basic consideration of the Act is that the people must be saved from their own representatives, since the people of the communities elect the prosecutor they want or elect the persons who appoint prosecutors.

BACKGROUND ON MODEL POLICE COUNCIL ACT:

The Commission, in commenting on the Act in its report, noted that "law enforcement has broken down at all levels, national, state and local" and that police officials have "permitted the growth of organized crime to go unchallenged." It bases these statements on "disclosures" of the Kefauver Committee. It blames the "breakdown" of law enforcement on police inefficiency and malfeasance and says an attempt must be made on a state-wide basis to eliminate these factors, since no single community can effectively deal with organized crime. Although this basic assumption is obviously illfounded, the entire Act rests upon it.

PROVISIONS OF THE ACT:

The Act sets up a seven man "police council" with authority to survey and inspect local police agencies. Two of the seven members are required to be chosen from the ranks of active police officers.

The Council is given power to make annual surveys and inspect all local law enforcement agencies with concomitant reports and recommendations. It is authorized to propose minimum standards for police departments, to inspect police training schools, to stimulate attendance at and to approve requests for state aid to both public and private accredited

police training schools, to encourage development of auxiliary police service and to recommend means of consolidating police departments and services. It is also empowered to conduct and stimulate research by public and private agencies designed to improve police administration and law enforcement.

In addition, the Act requires all police officers appointed after a selected date to have completed a prescribed course of study at an accredited police training school.

CURRENT STATUS:

This Act has been approved by the House of Delegates of the American Bar Association and may be expected to be presented to state legislatures.

OBJECTIONS TO THE ACT:

1. The general comment of the Commission, set out in its report on this Act, mentioned that the problem was complicated by "strong tradition of local autonomy and local home rule." The Commission stated that because of these traditions, the Act is not authoritarian in character. This is not quite true and the Act does smack of the authoritarian concept of the state which has become so prevalent in many nations abroad. It has the marks of a police system responsible to the state and unresponsive to the people of the communities in the state.

2. The disclaimer of compulsion being placed on local police agencies by this Act is merely a disclaimer, and not actually a fact. The Act carries considerable compulsion. Also there will be failures by local police to follow Police Council recommendations and the power of the Council will almost certainly be broadened to require that local police do follow the recommendations. The result will be, in fact, a single police force in each state. It will be as good or as bad as the state administration or the pressure affecting the state administrators permits. It will guarantee nothing to the people in the local communities except that control over their own police agencies will be removed to the State Capitol.

3. The Act provides that only two of the seven Commission members must be professional police officers. Experience assures us that the persons appointed to the

Council will, in five instances, be persons without a real understanding of law enforcement and its problems. There will ordinarily be two experienced men outvoted by five people ignorant of the problem. Beyond that a corrupt political machine could cause irreparable harm on a state-wide basis.

4. A basic flaw in the proposal is that it will place police training in improper hands. It will do this by a provision for private and public institutions being approved to train police officers. In addition, training in various types of law enforcement should vary. In view of the grant of funds proposed in the Act, many institutions will try to "get in on" the bonanza of police training and properly varied training will not result.

5. Law enforcement training should be in responsible professional hands. This Act invites the amateur to participate and offers a portion of the state treasury for participation. This is both undesirable and unnecessary. The FBI currently offers training to police agencies throughout the United States without charge and on a high level of professional ability. During the fiscal year of 1952, there were 2,350 police training schools held by the FBI throughout the nation, as well as 134 law enforcement conferences. In addition, the FBI conducts a training school at Washington, D. C., the FBI National Academy, for police executives and administrators.

6. For obvious reasons, training in the techniques of law enforcement should be restricted to persons actively engaged in such work. The proposed Act would result in opening such training to anyone. This is dangerous.

~~SECURITY MATTER - CONFIDENTIAL~~

cc: The Director
Mr. Ladd

December 9, 1952

VIA REGISTERED MAIL

Honorable Barbara Brownell, Jr.
140 East 19th Street
New York, New York

Dear Mr. Brownell:

As a matter of interest, I am enclosing a memorandum pertaining to the matter of listing additional organizations under the President's Loyalty Order.

At the time the Executive Order was issued creating the Federal Employee Loyalty Program, the responsibility was placed on the Attorney General to list those organizations, associations and movements which he deemed subversive within the meaning of the Executive Order. Various problems have arisen in connection with this Order and numerous additional organizations have come into being.

With best wishes and kind regards,

Sincerely yours,

*personally delivered
by Mr. Holloman*
RECEIVED
DEC 12 1952
12-12-52
up

Enclosure

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Mohr _____
Tele. Rm. _____
Nease _____
Gandy _____

LBN:MP

m.p.

*copy maintained in
11-17-58*

RECORDED - 28

INDEXED 8285

62-28585-8

DEC 18 1952

~~SECURITY MATTER - CONFIDENTIAL~~

December 8, 1952

LISTING OF ADDITIONAL ORGANIZATIONS
UNDER PRESIDENT'S LOYALTY ORDER

Following the institution of a Federal Employee Loyalty Program by Executive Order 9835 (1947), the Attorney General, operating under the authority of provisions set forth in Part III, Section 3 of said Order, has published a list of domestic and foreign organizations, associations, movements, groups, or combinations, which he has deemed "...after appropriate investigation and determination..." as within the purview of the President's Loyalty Order.

The original list of organizations designated as within the purview of the Loyalty Order was issued by the Attorney General under date of November 24, 1947. This has been supplemented to some extent and clarified by bulletins issued since said date.

This Bureau, in carrying out its many responsibilities imposed by statute and Presidential Directive, has invited the attention of the Department of Justice to many other organizations not as yet designated within the purview of the Loyalty Order, but which have been described by reliable confidential sources as organizations whose aims and purposes are inimical to the internal security of the United States. Through correspondence with the Department, a few of these groups have been added to the Attorney General's List, numbered among which will be the Nationalist Party of Puerto Rico.

Subsequent to the publication of the list of organizations designated by the Attorney General, the Joint Anti-Fascist Refugee Committee, the National Council of American-Soviet Friendship, and the International Workers Order filed suit in the United States District Court for the District of Columbia with the apparent primary purpose in mind to have Executive Order 9835 declared unconstitutional. These groups claimed deprivation of their rights under the Constitution, and sought to have their names deleted from the alleged unconstitutionally created List. Acting on this motion, the District Court dismissed the action brought by the three organizations, which decision was affirmed by the Circuit Court of Appeals. The Supreme Court, however, in reviewing the matters on writ of certiorari, reversed the decision of the lower

JAR:WCT:jhc:jc

RECEIVED-LAD

SECURITY MATTER ~~CONFIDENTIAL~~

ENCLOSURE

62-78585-8

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

courts to dismiss and remanded these cases to the District Court with instructions to deny the Government's motion. It is this Bureau's understanding that final action in these matters has not as yet been effected.

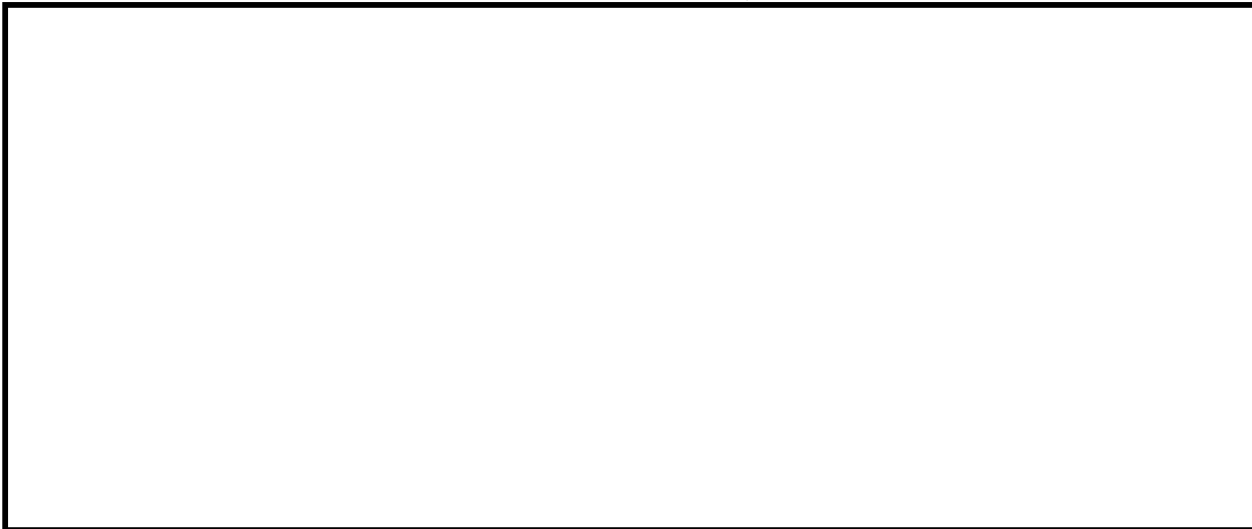
Following solicitations by this Bureau of the Department of Justice as to whether it intends to designate additional organizations as within the purview of Executive Order 9835, word was received that the basis for the Attorney General's designation of organizations pursuant to the Executive Order, and the nature of procedures to be followed prior to designation had not been fixed with any precision by the Supreme Court, and that the cases were still pending before the District Court. Consequently, the Attorney General did not desire to designate any additional organizations until the method previously employed had received the sanction of the courts.

In addition to the foregoing, this Bureau has been furnished copies of communications addressed to the Attorney General by the Honorable Hiram Bingham, Chairman of the Loyalty Review Board, concerning his thoughts on the designation of additional organizations within the purview of Executive Order 9835. In a communication dated June 12, 1952, to the Attorney General, Mr. Bingham stated in part:

In view of the many requests for designations of organizations appearing in the reports of investigations conducted by the Federal Bureau of Investigation under Executive Order No. 9835, as amended, where there is direct evidence that the organization is part and parcel of the Communist Party, the Loyalty Review Board feels it must place itself on record with your office that the failure of your office to designate organizations which are a part and parcel of the Communist Party is seriously jeopardizing the adjudication of individual cases. If, under the Program, persons are permitted to work for the Federal Government when, under the standard in Executive Order No. 9835, as amended, they should not work for the Federal Government, the fault will be with the Department of Justice and not with the Boards adjudicating the individual cases.

In connection with Mr. Bingham's comments as quoted above, this Bureau has found from experience in handling its responsibilities under the Internal Security Program that the designation of organizations as subversive substantially impedes the effectiveness of these organizations and continued membership of individuals more clearly evidences their Communist sympathies and permits a more accurate evaluation as to their potential dangerousness.

Among the more prominent Communist front organizations, which have not been cited by the Attorney General under Executive Order 9835, are the following:



**NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE**

The National Committee to Secure Justice in the Rosenberg Case was founded shortly after Ethel and Julius Rosenberg were sentenced to death in April, 1951, for engaging in Soviet espionage.

Reliable informants have reported that this organization is controlled and dominated by the Communist Party. At the present time, this organization is attempting to secure a new trial for the Rosenbergs, and, at the same time, is conducting a letter-writing campaign directed to the President and the Department of Justice seeking clemency for the Rosenbergs.

AMERICAN PEACE CRUSADE

The formation of the American Peace Crusade was announced on February 1, 1951. The Congressional Committee on Un-American Activities, in a statement issued in the "March of Treason" and House Report No. 378 on the "Communist 'Peace' Offensive," April 25, 1951, original date, April 1, 1951, described this as an organization "which the Communists established" as "a new instrument for their 'peace' offensive in the United States," and which was heralded by the Daily Worker "with the usual headlines reserved for projects in line with the Communist objectives."

Reliable informants have advised that the Communist Party has concentrated on supporting the American Peace Crusade, and that it is now controlled and dominated by the Communist Party. Many of its officers and leading members have been reportedly associated with the Communist Party or its front organizations.

NATIONAL NEGRO LABOR COUNCIL

The National Negro Labor Council was founded at Cincinnati, Ohio, at a convention on October 27 and 28, 1951, ostensibly to fight for economic and political freedom for the Negro people.

Reliable informants have advised that this organization is dominated and controlled by the Communist Party, and that its leadership continuously follows the Communist Party line, especially as it pertains to the Negro people.

NATIONAL COUNCIL OF THE ARTS, SCIENCES AND PROFESSIONS

The National Council of the Arts, Sciences and Professions was founded in 1948 as a result of a decision of the Arts, Sciences and Professions Council of the Progressive Citizens of America to withdraw from the Progressive Citizens of America and form an independent and permanent cultural-political organization.

Reliable informants have advised that since its inception, the policies of this organization have closely paralleled those of the Communist Party. These sources have

further advised that many of the officers of the National Council of the Arts, Sciences, and Professions, on both a national and local level, have been associated with the Communist Party or its front organizations.

Date 8-15-05

Classification of Mail:

☐ Unclassified☐ Confidential☐ Secret☒ ~~Top Secret*~~☐ SCI*☐ Other

Mail Category:

Letter ☒Airtel ☐LHM ☐Memo ☐Report ☐Other ☐Teletype ☐

FD-501 Number _____

FD-502 Number _____

Subject Honorable Herbert Brownell, Jr.Date of Mail December 9, 1952Description of Material 62-98585- Serial 9

(include identity of originating office or agency)

This serial has been removed and placed in:

☒ Special File Room, Room ⁷³⁶¹~~587~~, FBIHQ / FCIPA # 1024912☐(Field Office - Room, Cabinet, or other
location where material is stored)

This action taken based upon authority of:

☐ TS/SCICO, FBIHQ, 62-116065☐ Field Office Manager - _____

File and Serial number

(Signature and Title of Approving Official)_____
Date

*requires special handling

PERMANENT SERIAL CHARGE-OUT

FBI/DOJ

cc: The Director
Mr. Ladd

December 9, 1952

PERSONAL AND ~~CONFIDENTIAL~~

VIA REGISTERED MAIL

Honorable ^DHerbert Brownell, Jr.
140 East 19th Street
New York, New York

Dear Mr. Brownell:

As a matter of possible interest, I am enclosing
a brief memorandum and several charts reflecting the
administrative and operational aspects of the FBI.

With best wishes and kind regards,

Sincerely yours,

J. Edgar Hoover

928
Enclosures (9) *personally delivered*
Reg. Mrs. Halloman

LBN:MP
m.p.

RECEIVED	
DATE 12-14-52	
BY <i>wfz</i>	

RECORDED - 28

INDEXED - 28

25. 11. 52 6 30

25. 11. 52 6 30

25. 11. 52 6 30

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Mohr _____
Tele. Rm. _____
Nease _____
Gandy _____

RECEIVED

7 04 PM '52

98585-10

all

men

December 9, 1952

OPERATIONAL CHARTS OF THE FBI

Attached are charts which deal with the various administrative and operational functions of the FBI. They are as follows:

Exhibit 1 - FBI Functional Organization Chart

This chart shows the seven divisions of the Bureau here at the Seat of Government, including the Identification Division, the Training and Inspection Division, the Administrative Division, Records and Communications Division, Domestic Intelligence Division, General Investigative Division and the FBI Laboratory.

Exhibit 2 - FBI Field Offices and Resident Agencies

This chart shows the manner in which the investigative force of the FBI is set up throughout the United States and Territorial Possessions. You will note there are fifty-two field offices, and in each division there are a number of resident agencies which carry on the work of that particular area. Agents also make road trips in remote areas in order that the coverage is complete.

Exhibit 3 - FBI Radio Communications Network

This map shows the FBI radio communications network which centers here in Washington, D. C. and San Diego, California. You will note that between San Diego and Washington, D. C., there is a Morse and Radio Teletype Circuit.

Exhibit 4 - Installed and Approved FM 250 Watt Radio Station Systems

These radio stations are used for communication between offices and automobiles, and are very effective in maintaining our operations on a local level.

cc - The Director
cc - Mr. Nichols
cc - Mr. Ladd

ECK:mms

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

62-98585-10

Exhibit 3 - FBI National Academy

The FBI National Academy is designed to train police executives and instructors. The Fiftieth Session graduated on November 14, 1958. The next session of the Academy will begin March 23, 1959.

Exhibit 6 - FBI Inspection and Planning Program

This chart shows the administrative setup in connection with our inspection and planning program which affects not only our headquarters here in Washington, but also each of our fifty-two field divisions.

Exhibit 7 - Intra-Divisional Organizations for FBI Identification Division

This chart shows the method by which fingerprints are handled in the Identification Division from the time of their receipt until transmittal to local law enforcement agencies.

Exhibit 8 - World-wide Location of the BI Contributors to the FBI Fingerprint File

This world map shows the various countries cooperating with the FBI Identification Division in the exchange of data.

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holmes _____
Gandy _____

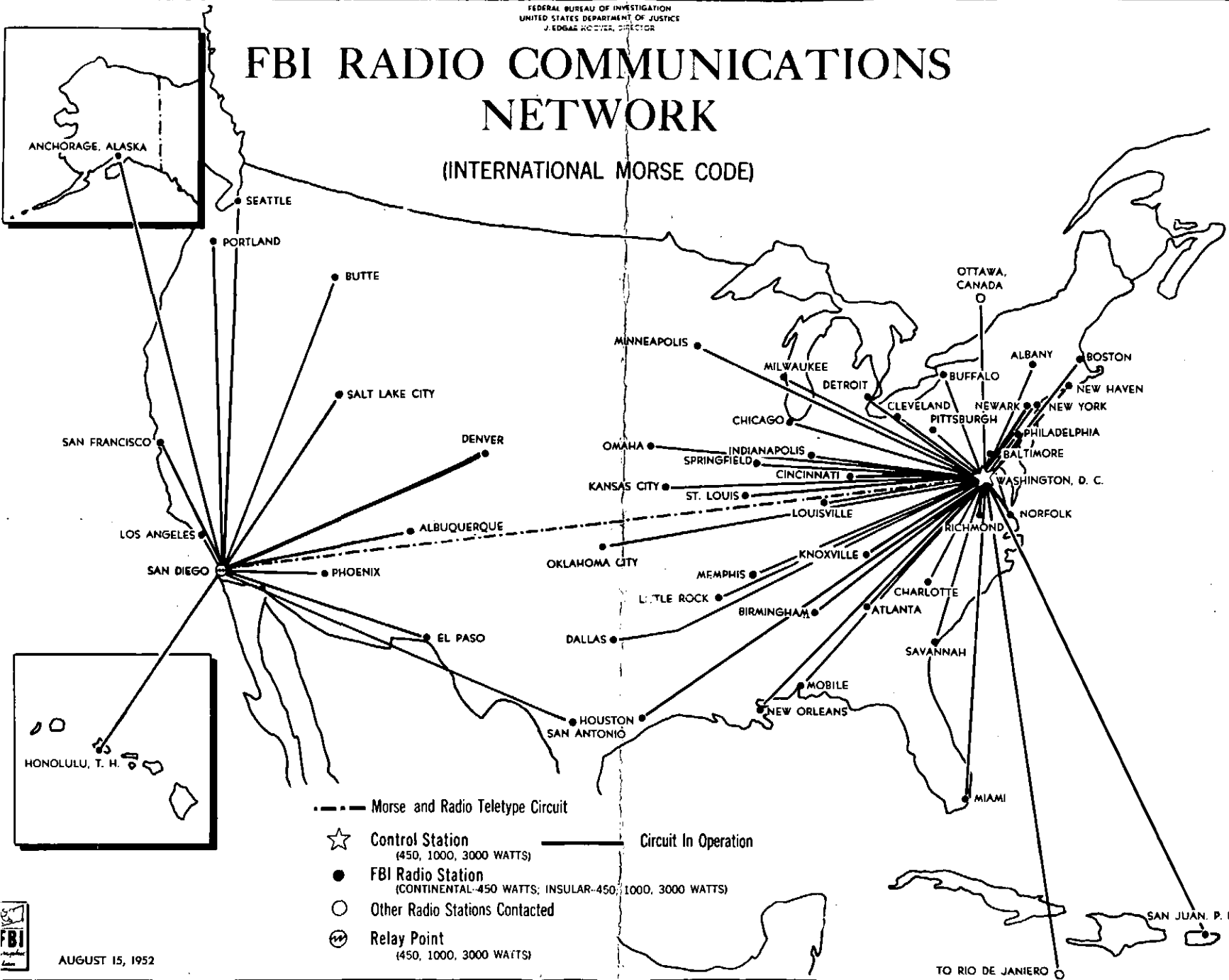
ENCLOSURE



62-98585-10

FBI RADIO COMMUNICATIONS NETWORK

(INTERNATIONAL MORSE CODE)

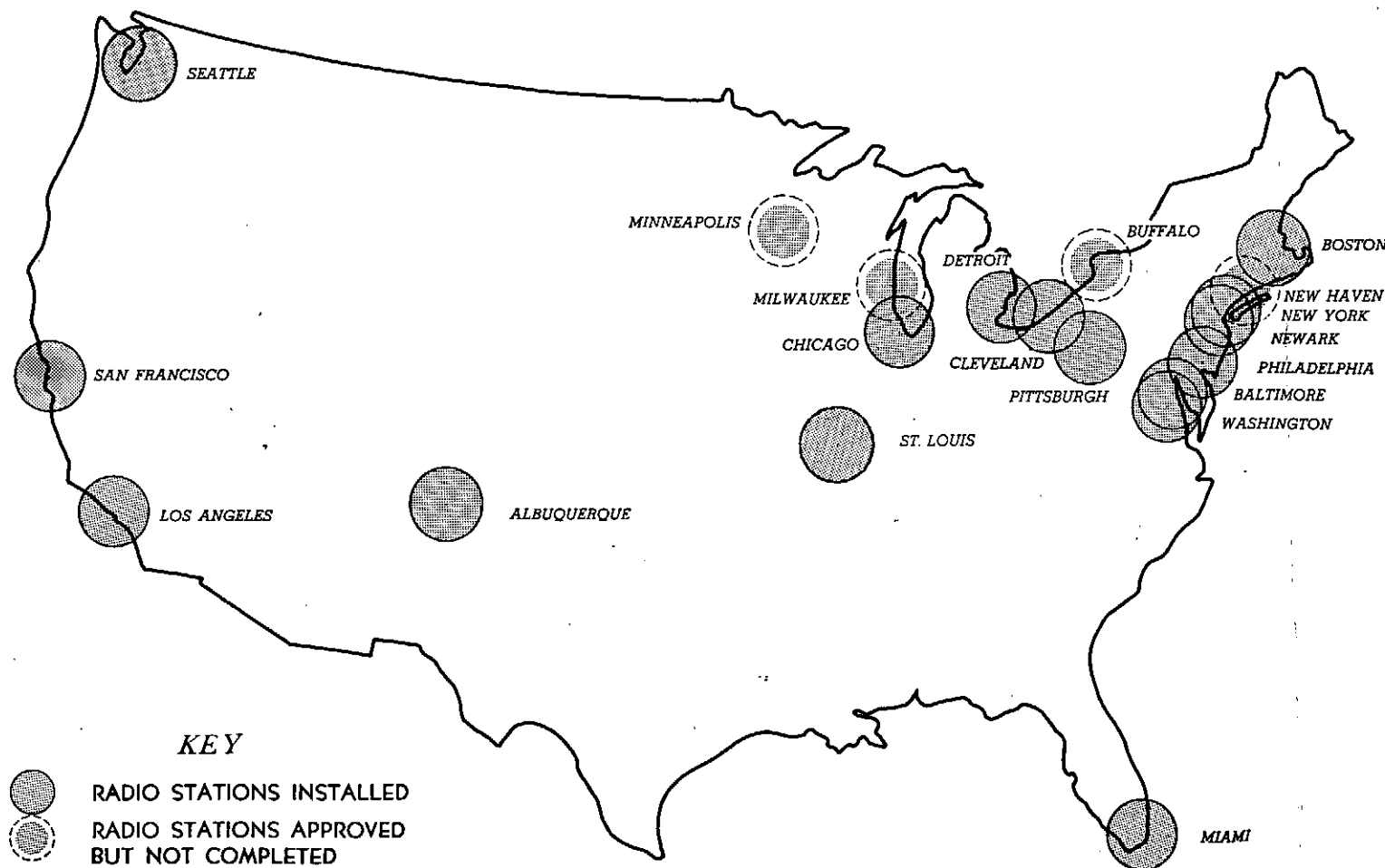


AUGUST 15, 1952

Exhibit 3

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
J. Edgar Hoover, Director

INSTALLED AND APPROVED FM 250 WATT RADIO STATION SYSTEMS



SEPTEMBER 15, 1952





FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
J. EDGAR HOOVER, DIRECTOR

FBI NATIONAL ACADEMY

OBJECTIVES.....

- A - TRAIN POLICE EXECUTIVES AND INSTRUCTORS**
- B - PROMOTE COOPERATION**
- C - RAISE STANDARDS OF LAW ENFORCEMENT ON A NATIONAL BASIS**

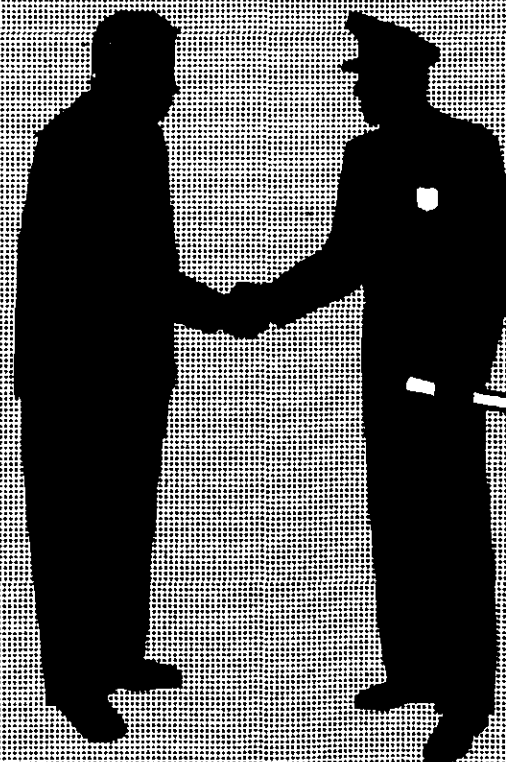
BEGAN JULY 29, 1935.

50 SESSIONS HELD AS OF NOV. 14, 1952.

TOTALING 2,587 GRADUATES REPRESENTING EVERY STATE IN THE UNION, PLUS TERRITORIAL POSSESSIONS AND FOREIGN COUNTRIES.

MORE THAN ONE - FOURTH OF THE TOTAL GRADUATES ARE CHIEFS OF POLICE OR OTHER EXECUTIVE HEADS OF THEIR DEPARTMENTS.

GRADUATES HAVE MADE AVAILABLE TO MORE THAN 100,000 POLICE OFFICERS THE TRAINING RECEIVED FROM THE FBI.



FBI INSPECTION AND PLANNING PROGRAM

ORGANIZATION AND FLOW OF RESPONSIBILITY



FORMULATION OF POLICIES AND PROGRAMS

J. EDGAR HOOVER, DIRECTOR
CLYDE A. TOLSON, ASSOCIATE DIRECTOR



RESPONSIBILITY FOR ATTAINING OBJECTIVES

ASSISTANT DIRECTOR
TRAINING AND INSPECTION DIVISION
INSPECTOR-IN-CHARGE
INSPECTION AND PLANNING SECTION



EXECUTION OF OBJECTIVES

INSPECTOR STAFF
OFFICIALS AT SEAT OF GOVERNMENT
SAC'S
INSPECTORS' AIDES



INTRA-DIVISIONAL ORGANIZATIONS FOR FBI IDENTIFICATION DIVISION



RECORDING SECTION

- (a) Fingerprint cards are received, recorded, given appropriate priority and routed for search.



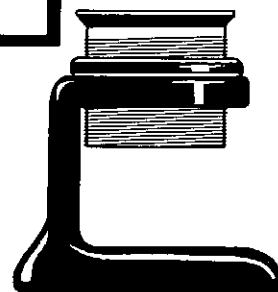
CARD INDEX SECTION

- (a) Index cards are maintained on the names and aliases of all persons whose fingerprints are received.
- (b) Conducts name searches on fingerprint records and correspondence.



TECHNICAL SECTION

- (a) Handles the classifying, searching and filing of fingerprint records.



SINGLE FINGERPRINT SECTION

- (a) Maintains single fingerprint records on major outstanding figures in criminal field including gangsters, extortionists, kidnapers, bank robbers, etc.
- (b) Examines evidence in all types of investigations relating to latent fingerprints; single prints found at scene of crime; partial sets of prints of unknown dead, etc.
- (c) War Casualty File



LIAISON SECTION

- (a) Concerned with the maintenance of liaison with governmental agencies and law enforcement agencies regarding fingerprint matters.
- (b) Obtain information pertinent to Bureau investigations from Federal agencies and Departments in the Metropolitan area.



TYPING SECTION

- (a) Prepares outgoing correspondence incident to fingerprint activities generally.
- (b) Transmits letters to law enforcement agencies concerning identifications effected.



POSTING SECTION

- (a) Posts dispositions of prior arrest records to existing fingerprint records on file.
- (b) Posts additional arrest records to existing fingerprint records on file as such arrest records are received currently.
- (c) Add special information to records reflecting subject as being a fugitive, a missing person or on probation.



ASSEMBLY SECTION

- (a) Coordinates files in instances where several fingerprint records exist on an individual.



FBI FUNCTIONAL ORGANIZATION CHART



DIRECTOR
J. EDGAR HOOVER

FIELD OFFICES

ALBANY ALBUQUERQUE ANCHORAGE, ALASKA ATLANTA BALTIMORE BIRMINGHAM BOSTON BUFFALO	BUTTE CHARLOTTE CHICAGO CINCINNATI CLEVELAND DALLAS DENVER DETROIT	EL PASO HONOLULU, T. H. HOUSTON INDIANAPOLIS KANSAS CITY KNOXVILLE LITTLE ROCK LOS ANGELES
---	---	---

FIELD OFFICES

LOUISVILLE MEMPHIS MIAMI MILWAUKEE MINNEAPOLIS MOBILE NEWARK NEW HAVEN NEW ORLEANS NEW YORK	NORFOLK OKLAHOMA CITY OMAHA PHILADELPHIA PHOENIX PITTSBURGH PORTLAND RICHMOND ST. LOUIS	SALT LAKE CITY SAN ANTONIO SAN DIEGO SAN FRANCISCO SAN JUAN, P. R. SAVANNAH SEATTLE SPRINGFIELD WASHINGTON, D. C.
--	---	---

TOTAL 52

ASSOCIATE DIRECTOR

DIVISION 1

IDENTIFICATION

ALIEN REGISTRATION FINGERPRINT FILES
ARMY, NAVY, COAST GUARD, MARINE,
MARITIME SERVICE FINGERPRINTS,
WORLD WAR II
ARMY, NAVY, MARINE, FINGERPRINT
IDENTIFICATION FILES
CIVIL IDENTIFICATION FILES
CIVIL SERVICE FINGERPRINTS
CRIMINAL FINGERPRINT FILES
DEVELOPMENT OF LATENT FINGERPRINTS
FUGITIVE BULLETIN
GENERAL APPEARANCE FILE ON
CONFIDENCE MEN, ETC.
GOVERNMENT FINGERPRINT FILES
INTERNATIONAL EXCHANGE
MISSING PERSONS
NATIONAL FOOTPRINT FILE
NATIONAL NICKNAME FILE
NATIONAL UNIDENTIFIED LATENT FINGER-
PRINT FILE
SINGLE FINGERPRINT FILE
WANTED NOTICES
WAR CASUALTY FINGERPRINTS

DIVISION 2

TRAINING AND INSPECTION

INSPECTION AND PLANNING SECTION:

BULLETINS AND SAC LETTERS
BUREAU MANUALS
CLASSIFICATION OF INFORMATION
INSPECTIONS - FIELD AND SOG
INSPECTIONS - SELF
INSPECTION TRAINING
LEGAL RESEARCH
PLANNING
PUBLICATIONS REVIEW
SPECIAL PROJECTS
SUGGESTIONS
SURVEYS
U.S. ATTORNEYS - LIAISON
WAR PLANS

TRAINING SECTION:

ACCOUNTING COURSES
CHIEF CLERKS' SCHOOLS
CLERICAL RETRAINING COURSES
DEFENSIVE TACTICS COURSES
EMPLOYEES' CONFERENCES - FIELD
EMPLOYEES' CONFERENCES - SOG
FBI NATIONAL ACADEMY
FBI NATIONAL ACADEMY ASSOCIATES
FBI NATIONAL ACADEMY NEWS LETTER
FBI NATIONAL ACADEMY RETRAINING
FIELD CONFERENCES - NEW AGENTS
FIELD CONFERENCES - TECHNICAL

FIELD POLICE SCHOOLS
GYMNASIUMS
IACP LIAISON
IN-SERVICE AGENTS' COURSES
JUVENILE CONTROL COURSES
LAW ENFORCEMENT CONFERENCES
NEW AGENTS TRAINING
ON-THE-JOB TRAINING
ORIENTATION COURSES FOR CLERKS
PHYSICAL TRAINING
POLICE INSTRUCTORS' COURSES
POLICE MANUALS
POLICE PLACEMENTS
POLICE VISITORS
SHORTHAND COURSES
SPECIAL TECHNICAL COURSES
STENOGRAPHERS' PROCEDURAL COURSES
SUPERVISORS' TRAINING COURSE
TRAFFIC COURSES
TRAINING RESEARCH
TYPING COURSES

QUANTICO SECTION:

ADMINISTRATIVE FIREARMS TRAINING
COURSES
EXPERT FIREARMS TRAINING COURSES
FBI ACADEMY - TRAINING CENTER
FIELD FIREARMS RANGES AND TRAINING
FIREARMS INSPECTION AND REPAIR
FIREARMS TRAINING

DIVISION 4

RECORDS AND COMMUNICATIONS

COMMUNICATIONS SECTION:

COURIER SERVICE
MAILING FACILITIES
MAIL REVIEWS
RADIO TRANSMISSION:
CONTINENTAL NETWORK
INSULAR NETWORK
TELEGRAPH SERVICES
TELEPHONE SERVICES
TELETYPE SERVICES

CRIME RECORDS SECTION:

FBI LAW ENFORCEMENT BULLETIN
FBI LIBRARY
GENERAL INQUIRIES
POLICE RECORDS
STATISTICAL TABULATIONS
UNIFORM CRIME REPORTS
OTHER GOVERNMENT AGENCY MATTERS:
ALCOHOL TAX
CIVIL SERVICE
COUNTERFEITING
FOOD AND DRUG
INCOME TAXES
NARCOTICS
OTHER TAXES
POSTAL VIOLATIONS EXCEPT MAIL FRAUD

RECORDS SECTION:

ADMINISTRATIVE FILES
MESSENGER SERVICE
PERSONNEL FILES
NAME CHECKS

DIVISION 3

ADMINISTRATIVE

BUDGET AND ACCOUNTING:

ADMINISTRATIVE REPORT
BOND PURCHASE ACCOUNTS
CARE AND DISTRIBUTION OF AUTOMOTIVE
EQUIPMENT
CONTRACTS
INVENTORIES
LEASES
LEGISLATIVE REVIEW
PAYROLLS
PREPARATION OF BUDGET ESTIMATES
RETIREMENT AND RECORDS
SPACE CONTROL
SUPPLIES AND EQUIPMENT
TRANSPORTATION
VOUCHERS

CARTOGRAPHIC:

DIAGRAMMATIC COMPILATION OF FBI SURVEYS
GRAPHICAL PRESENTATION OF INVESTIGATIVE
AND STATISTICAL DATA
INSTRUCTIONAL DIAGRAMS, ILLUSTRATIONS,
AND CLASSROOM DISPLAYS USED FOR
TRAINING BUREAU PERSONNEL
PREPARATION OF CREDENTIAL CARDS, LABELS,
FORMS, NAME CARDS

MECHANICAL:

BUREAU BULLETINS
IDENTIFICATION AND APPREHENSION ORDERS

MIMEOGRAPHING
MULTILITHING
PHOTOGRAPHIC TRAINING
PHOTOGRAPHING
PHOTOSTATING

PERSONNEL:

APPLICANT CORRESPONDENCE
APPLICANT INTERVIEWS
APPLICANT INVESTIGATIONS
APPLICANT & IN-SERVICE TESTING
APPLICANT RECRUITING
APPOINTMENTS
CLASSIFICATION MATTERS
COMMENDATION & SUPERIOR ACCOMPLISHMENT
AWARDS
EMPLOYEES' COMPENSATION
HEALTH SERVICE
LEAVE
LIVING QUARTERS
PERFORMANCE RATINGS
PERSONNEL ACTIONS
PERSONNEL PLACEMENT
PERSONNEL COUNSELLING
PHYSICAL EXAMINATIONS
PROMOTIONS AND REALLOCATIONS
SERVICE INQUIRIES
SELECTIVE SERVICE
TRANSFERS
VETERANS COUNSELLING
VOCATION AND ADVOCACY RECORDS

DIVISION 7

LABORATORY

CRYPTANALYSIS AND TRANSLATION SECTION:

CRYPTANALYSIS
TRANSLATIONS

DOCUMENT SECTION:

CHARRED PAPER EXAMINATIONS
HANDWRITING AND HANDPRINTING
INDELETED WRITING
INK AND PENCIL EXAMINATIONS
OBLITERATED WRITING
PAPER EXAMINATIONS
PHOTOGRAPHIC EXAMINATIONS
PORTRAIT PARLE EXAMINATIONS
SHOEPRINT EXAMINATIONS
TIREDREAD EXAMINATIONS
TYPEWRITING AND OTHER MECHANICAL
IMPRESSIONS

RADIO AND ELECTRICAL SECTION:

ELECTRICAL ENGINEERING
ELECTRONICS
MONITORING
RADIO ENGINEERING
SOUND AND ACOUSTICS

PHYSICS AND CHEMISTRY SECTION:

BIOCHEMICAL
BIOLOGICAL
EXPLOSIVES
FIBERS
GENERAL CHEMICAL
GLASS FRACTURES
GUNPOWDER TESTS
GUNS AND AMMUNITION
METALLURGICAL
NUMBER RESTORATION
PETROGRAPHIC OR GEOLOGIC
PHARMACOLOGICAL
SECRET WRITING
SPECTROGRAPHIC ANALYSIS
RESERVATIONS
TOXICOLOGICAL

RESEARCH IN CRIME DETECTION

ASSISTANT TO THE DIRECTOR

DIVISION 5

DOMESTIC INTELLIGENCE

106 ALIEN ENEMY CONTROL
117 ATOMIC ENERGY ACT - VIOLATIONS
66 CONFIDENTIAL INFORMANTS AND SPECIAL RECORDS
107 DENATURALIZATION PROCEEDINGS
65 ESPIONAGE
98 FEDERAL TRAIN WRECK STATUTE
97 FOREIGN AGENTS REGISTRATION ACT
110 FOREIGN ECONOMIC MATTERS
112 FOREIGN FUNDS
113 FOREIGN MILITARY AND NAVAL MATTERS
64 FOREIGN MISCELLANEOUS

109 FOREIGN POLITICAL MATTERS
111 FOREIGN SOCIAL CONDITIONS
101 HATCH ACT (SUBVERSIVE)
100 INTERNAL SECURITY
INTERNAL SECURITY ACT OF 1950
105 INTERNAL SECURITY - NATIONALISTIC TENDENCY
51 JURY PANEL INVESTIGATIONS (DOMESTIC
INTELLIGENCE DIVISION CASES)
122 LABOR MANAGEMENT RELATIONS ACT - 1947
62 LEA ACT

FOREIGN AND DOMESTIC LIAISON
NAME CHECKS FOR OTHER GOVERNMENT AGENCIES
SECURITY RESEARCH MATTERS
LOYALTY OF GOVERNMENT EMPLOYEES
2 NEUTRALITY MATTERS
3 OVERTHROW OR DESTRUCTION OF GOVERNMENT
98 SABOTAGE
14 SEDITION
61 TREASON AND RELATED STATUTES
102 VOORHIS ACT

DIVISION 6

GENERAL INVESTIGATIVE

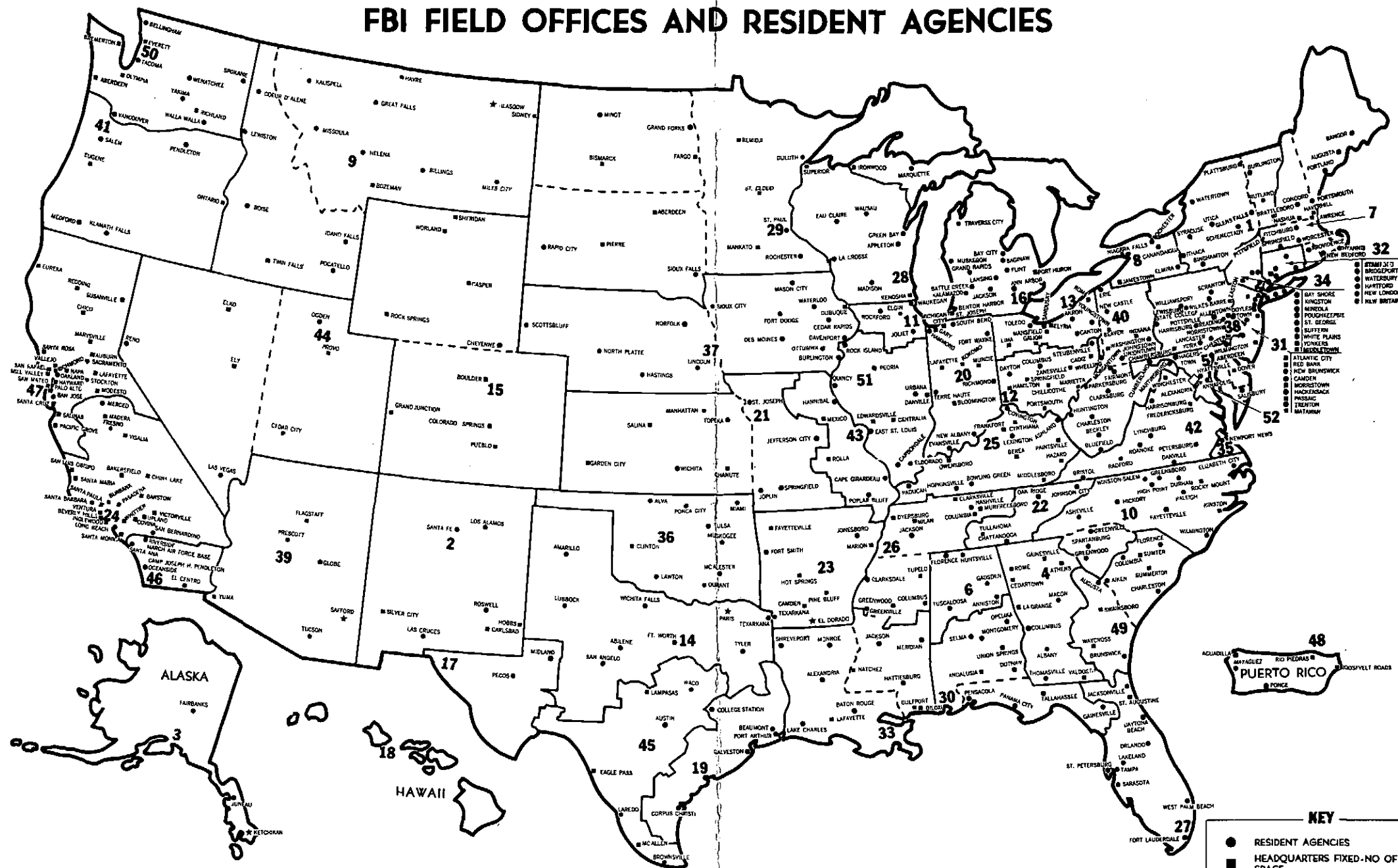
131 ADMIRALTY MATTERS
114 ALIEN PROPERTY CUSTODIAN MATTERS
92 ANTI-RACKETEERING (INTERFERENCE WITH INTER-
STATE COMMERCE BY ROBBERY OR EXTORTION)
60 ANTI-TRUST
APPLICANTS
116 ATOMIC ENERGY ACT AND JOINT
COMMITTEE ON ATOMIC ENERGY
118 CENTRAL INTELLIGENCE AGENCY
77 COAST GUARD SCREENING APPEAL BOARD
77 DEPARTMENTAL
124 EUROPEAN RECOVERY PROGRAM (MUTUAL
SECURITY ACT)
128 INTERNATIONAL DEVELOPMENT PROGRAM
77 INTERNATIONAL LABOR ORGANIZATION
77 MAINTENANCE EMPLOYEES
133 NATIONAL SCIENCE FOUNDATION ACT
46 SPECIAL INQUIRIES FOR WHITE HOUSE,
CONGRESSIONAL COMMITTEES AND
OTHER GOVERNMENT AGENCIES
123 VOICE OF AMERICA
77 WORLD HEALTH ORGANIZATION
73 APPLICATIONS FOR EXECUTIVE CLEMENCY
AND APPLICATIONS FOR PARDON AFTER
COMPLETION OF SENTENCE
93 ASCERTAINING FINANCIAL ABILITY
89 ASSAULTING OR KILLING A FEDERAL OFFICER
91 BANK ROBBERY
71 BILLS OF LADING ACT
62 BLACK MARKET IN RAILROAD TICKETS
115 BOND DEFAULT
75 BONDSMEN AND SURETIES
58 BRIBERY
62 CIVIL AERONAUTICS ACT
44 CIVIL RIGHTS
CONSPIRACY
69 CONTEMPT OF COURT
46 CONTRACT SETTLEMENT ACT - CIVIL AND
CRIMINAL
28 COPYRIGHT MATTERS
83 COURT OF CLAIMS CASES
70 CRIMES ON INDIAN AND OTHER GOVERNMENT
RESERVATIONS
45 CRIME ON THE HIGH SEAS
42 DESERTERS
62 EIGHT HOUR DAY LAW

56 ELECTION LAWS
76 ESCAPE AND RESCUE
76 ESCAPED FEDERAL PRISONERS
106 ESCAPED PRISONERS OF WAR
129 EVACUATION CLAIMS
9 EXTORTION
46 FALSE CLAIMS - CIVIL SUITS
71 FALSE ENTRIES IN RECORDS OF INTERSTATE
CARRIERS
39 FALSELY CLAIMING CITIZENSHIP
62 FEDERAL JUDICIARY INVESTIGATIONS
62 FEDERAL JUVENILE DELINQUENCY MATTERS
86 FEDERAL LENDING AND INSURANCE AGENCIES
119 FEDERAL REGULATION OF LOBBYING ACT
29 FEDERAL RESERVE ACT
120 FEDERAL TORT CLAIMS ACT
4 FIREARMS ACT (A) NATIONAL (B) FEDERAL
46 FRAUDS AGAINST THE GOVERNMENT
46 FRAUD AGAINST THE GOVERNMENT -
DEPENDENTS ASSISTANCE ACT OF 1950
46 FRAUD AGAINST THE GOVERNMENT -
SURPLUS PROPERTY ACT
43 FRAUDULENT PRACTICES CONCERNING
MILITARY AND NAVAL DOCUMENTS
FUGITIVES
62 GENERAL INVESTIGATIVE INTELLIGENCE FILE
HARBORING
78 ILLEGAL USE OF GOVERNMENT TRANSPORTATION
REQUESTS
71 ILLEGAL USE OF RAILROAD PASS
43 ILLEGAL MANUFACTURE, USE, POSSESSION OR
SALE OF EMBLEMS AND INSIGNIA
43 ILLEGAL WEARING OF UNIFORM
47 IMPERSONATION
66 INFORMANTS - CRIMINAL
CONSPIRACY
71 INTERSTATE TRANSPORTATION OF
GAMBLING DEVICES
71 INTERSTATE TRANSPORTATION OF
LOTTERY TICKETS
71 INTERSTATE TRANSPORTATION OF
OBSCENE MATTER
71 INTERSTATE TRANSPORTATION OF
PRISON MADE GOODS
103 INTERSTATE TRANSPORTATION OF
STOLEN CATTLE
26 INTERSTATE TRANSPORTATION OF STOLEN
MOTOR VEHICLE OR AIRCRAFT
87 INTERSTATE TRANSPORTATION OF
STOLEN PROPERTY
6 INTERSTATE TRANSPORTATION OF
STRIKEBREAKERS

50 INVOLUNTARY SERVITUDE AND SLAVERY
90 IRREGULARITIES IN FEDERAL PENAL INSTITUTIONS
51 JURY PANEL INVESTIGATIONS
62 KICKBACK RACKET ACT
7 KIDNAPING
62 LANDS DIVISION MATTERS
36 MAIL FRAUDS
18 MAY ACT
8 MIGRATORY BIRD ACT
62 MISCELLANEOUS CIVIL SUITS
62 MISCONDUCT IN OFFICE
46 MUSTERING OUT PAYMENT ACT
49 NATIONAL BANKRUPTCY ACT
82 NATIONAL SERVICE LIFE INSURANCE
NATIONAL STOLEN PROPERTY FILE
72 OBSTRUCTION OF JUSTICE
62 OPA VIOLATIONS - CIVIL
76 PAROLE, PROBATION AND CONDITIONAL
RELEASE VIOLATORS
40 PASSPORT AND VISA MATTERS
27 PATENT MATTERS
74 PERJURY
125 RAILWAY LABOR ACT
10 RED CROSS ACT
46 RENEGOTIATION ACT - CIVIL AND CRIMINAL
25 SELECTIVE SERVICE
104 SERVICEMEN'S DEPENDENTS ALLOWANCE
ACT OF 1942
17 SERVICEMEN'S READJUSTMENT ACT OF 1944
62 SOLDIERS' AND SAILORS' CIVIL RELIEF ACT
OF 1940
62 TARIFF ACT OF 1930
52 THEFT, EMBEZZLEMENT, ROBBERY, ILLEGAL
POSSESSION OF GOVERNMENT PROPERTY
15 THEFT FROM INTERSTATE SHIPMENT
88 UNLAWFUL FLIGHT TO AVOID CUSTODY OR
CONFINEMENT
88 UNLAWFUL FLIGHT TO AVOID GIVING TESTIMONY
88 UNLAWFUL FLIGHT TO AVOID PROSECUTION
62 UNREPORTED INTERSTATE SHIPMENT OF
CIGARETTES
17 VETERANS ADMINISTRATION MATTERS
62 WAGE AND HOUR LAW
82 WAR RISK INSURANCE
31 WHITE SLAVE TRAFFIC ACT



FBI FIELD OFFICES AND RESIDENT AGENCIES



FBI FIELD OFFICES

- | | | | | | | | |
|---------------------|---------------|--------------------|-----------------|----------------|------------------|-------------------|----------------------|
| 1 ALBANY | 7 BOSTON | 13 CLEVELAND | 19 HOUSTON | 25 LOUISVILLE | 31 NEWARK | 43 ST. LOUIS | 49 SAVANNAH |
| 2 ALBUQUERQUE | 8 BUFFALO | 14 DALLAS | 20 INDIANAPOLIS | 32 NEW MEMPHIS | 32 NEW HAVEN | 44 SALT LAKE CITY | 50 SEATTLE |
| 3 ANCHORAGE, ALASKA | 9 BUTTE | 15 DENVER | 21 KANSAS CITY | 27 MIAMI | 33 NEW ORLEANS | 45 SAN ANTONIO | 51 SPRINGFIELD |
| 4 ATLANTA | 10 CHARLOTTE | 16 DETROIT | 22 KNOXVILLE | 28 MILWAUKEE | 34 NEW YORK | 46 SAN DIEGO | 52 WASHINGTON, D. C. |
| 5 BALTIMORE | 11 CHICAGO | 17 EL PASO | 23 LITTLE ROCK | 29 MINNEAPOLIS | 35 NORFOLK | 47 SAN FRANCISCO | |
| 6 BIRMINGHAM | 12 CINCINNATI | 18 HONOLULU, T. H. | 24 LOS ANGELES | 30 MOBILE | 36 OKLAHOMA CITY | 48 SAN JUAN | |

KEY

- RESIDENT AGENCIES
- HEADQUARTERS FIXED-NO OFFICE SPACE
- ★ FEDERAL SPACE, BUT NO AGENTS ASSIGNED. (SPACE USED BY ROAD TRIP AGENTS)
- DENOTES FBI FIELD DIVISION BOUNDARIES
- - - DENOTES STATE LINES OVERLAPPED BY FIELD DIVISION DISTRICTS



NOVEMBER 17, 1952

World-Wide Location of the 81 Contributors to the FBI Fingerprint File



1 ALASKA
2 ALGERIA
3 ARGENTINA
4 AUSTRALIA
5 BAHAMAS
6 BARBADOS
7 BELGIUM
8 BERMUDA
9 BRAZIL
10 BRITISH GUIANA
11 BRITISH HONDURAS

12 BURMA
13 CANADA
14 CANAL ZONE
15 CEYLON
16 CHILE
17 CHINA
18 COLOMBIA
19 COSTA RICA
20 CUBA
21 CURACAO, N. W. I.
22 DENMARK

23 DOMINICAN REPUBLIC
24 ECUADOR
25 EGYPT
26 EL SALVADOR
27 ENGLAND
28 FEDERATED MALAY STATES
29 FRANCE
30 FRENCH GUINEA
31 GERMANY (Western Zone)
32 GOLD COAST COLONY
33 GREECE

34 GUADALOUPE
35 GUAM
36 GUATEMALA
37 HAITI
38 HAWAII
39 HONDURAS
40 INDIA
41 INDONESIA
42 IRAN
43 IRAQ
44 IRELAND

45 ISRAEL
46 ITALY
47 JAMAICA
48 JAPAN
49 KENYA
50 LEBANON
51 MALTA
52 MARTINIQUE
53 MEXICO
54 MOROCCO
55 NETHERLANDS

56 NETHERLANDS GUIANA
57 NEWFOUNDLAND
58 NEW ZEALAND
59 NICARAGUA
60 NIGERIA
61 NORWAY
62 NYASALAND
63 PANAMA
64 PARAGUAY
65 PERU
66 PHILIPPINE ISLANDS

67 PORTUGAL
68 PUERTO RICO
69 SCOTLAND
70 SIAM
71 SIERRA LEONE
72 SOUTHERN RHODESIA
73 SPAIN
74 SWEDEN
75 SWITZERLAND
76 TRINIDAD
77 TURKEY

78 UNION OF SOUTH AFRICA
79 URUGUAY
80 VENEZUELA
81 VIRGIN ISLANDS

AUGUST 15, 1952



cc: The Director
Mr. Ladd

December 9, 1952

①
Honorable Herbert Brownell, Jr.
140 East 16th Street
New York, New York

Dear Mr. Brownell:

I am enclosing a reprint of an article which
I prepared for the Winter issue of the ~~Iowa~~ Law Review,
entitled "Civil Liberties and Law Enforcement: The Role
of the FBI," which I thought you might be interested in
seeing.

With best wishes and kind regards,

Sincerely yours,

Personally delivered
By Mr. Holloman *Mr. Hoover*

RECEIVED
DATE 12-12-52
BY *W.F.*

RECORDED - 28
INDEXED - 28

62-98585-10
DEC 10 4 38 PM '52
FBI

Enclosure

LBN:MP

m.p.

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Mohr _____
Tele. Rm. _____
Nease _____
Gandy _____

December 9, 1952

**CIVIL LIBERTIES AND LAW ENFORCEMENT:
THE ROLE OF THE FBI
IOWA LAW REVIEW
VOLUME 37, NUMBER 2, WINTER, 1952**

Attached is a reprint from the Iowa Law Review (Winter of 1952) entitled "Civil Liberties and Law Enforcement: The Role of the FBI." This was prepared on request for the Iowa Law Review and sets forth in some detail the various ways in which the FBI protects civil liberties.

I thought perhaps you might be interested in seeing it.

Attachment

Copy of Iowa Law Review, Vol. 37, No. 2, Winter, 1952

cc - The Director

cc - Mr. Nichols

cc - Mr. Ladd

ECK:mms:rm

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

62-78575-11

62-98585-111



**CIVIL LIBERTIES AND LAW ENFORCEMENT:
THE ROLE OF THE FBI**

by
John Edgar Hoover

Reprinted from
IOWA LAW REVIEW
Vol. 37, No. 2, Winter 1952
Iowa City, Iowa, U. S. A.

62-98585-11

CIVIL LIBERTIES AND LAW ENFORCEMENT: THE ROLE OF THE FBI

John Edgar Hoover†

INTRODUCTION

Mankind has been tormented for centuries by a problem still of vital concern to the American people — the relation of the individual to the state.

This nation was founded on the historic principle that the individual must be protected from the tyranny of the state. Washington, Franklin and Madison witnessed the terror of a government of men. Therefore they resolved, through the Constitution, to establish the supremacy of law. The state, they believed, must be strong enough to maintain national security but not so strong as to violate the civil rights of its citizenry. The wisdom of the founding fathers lives still, for the Constitution remains today the basic document of the American system of government, the culmination of centuries of thought, suffering and faith for the principles of freedom and justice among men. The Constitution provides a framework for a government of law — and under it both *civil liberties* and *law enforcement* derive their meaning.

The century-and-a-half following the adoption of the Constitution brought an intensification of the problem of the relation between the individual and the state. In the days of Washington and Jefferson, it was a problem of thousands of miles; months, even years on the calendar; affecting few, not the great mass of people. Today it is otherwise: a problem immediate, near at hand, touching intimately the lives of millions of individuals. The tremendous growth of the United States, the rise of an industrial society, the passing of the frontier, the expansion of government — all these factors brought changes, convulsing the problem into an everyday topic. A Daniel Boone, a Kit Carson, a Davy Crockett, if he desired, could simply pack up and leave. Hundreds of miles of wilderness stretched before him. Today that is no longer true; the interests of the individual and the state touch at a great number of points. New modes of accommodation are being created, new points of issue being raised. Here is America's great problem today — to maintain the basic civil liberties of the individual, which are the foundation stones of free government, yet, at the same time, to protect the security of the nation.

The answer lies in the wisdom of the founding fathers, in the

† Director, Federal Bureau of Investigation, United States Department of Justice.

principles embodied in the Constitution of the United States. Law enforcement is today playing an integral role in helping to solve this great problem. Law enforcement arises from law; its sacred responsibility is to uphold the basic laws of the land and to give meaning to the democratic tradition of America. In a government where men, not law, are all-powerful, law-enforcement, as we understand it, does not exist — there is no need for it. Law enforcement is a protecting arm of civil liberties. Civil liberties cannot exist without law enforcement; law enforcement without civil liberties is a hollow mockery. They are parts of the same whole — one without the other becomes a dead letter.

Democratic law enforcement is loyal to both the state and the individual. It is obligated to uphold the sovereignty of the government, yet, at the very same time, to protect the rights of the citizen. Law enforcement, operating in a democratic matrix, believes that the free exercise of liberty, based on the laws of the land, is the best method of strengthening the nation's security. The state is strong because the individual is strong, free and virile; the individual is strong because the state is strong, secure and solid. They are essential ingredients for maintaining America as the home of the free, the brave and the just.

The FBI, which I have had the honor of heading for over a quarter of a century, is dedicated to this proposition: to protect both the security of the nation and the liberties of each individual. This duty is in the highest traditions of the nation. Along this path — the path pointed out by the founding fathers — lies the eventual solution of this historic problem. The state and the individual can and must exist as cooperating and mutually interacting entities.

PROTECTION AGAINST THE EVILDOER

The basic function of law enforcement is protection against the evil-doer — the murderer, the rapist, the burglar who desire to destroy the citizen's rights, life and property. The criminal, in the most simple terms, is a transgressor of the law, who, through illegal means, attempts to promote his own personal welfare, comfort and ends at the expense of another. To be successful is to destroy civil liberties. The police officer and the judicial system, by enforcing the laws, are giving validity to the rights guaranteed in the statutes of this nation. Why have laws, if they are to be violated with impunity? Laws have meaning only with enforcement; in that way, and in that way only, can civil liberties be maintained and the security of the community insured.

The duty of the FBI is to investigate violations of the laws of the United States, to collect evidence in cases in which the United States is or may be a party in interest, and to perform other duties required by

law or administrative directive. The FBI is a federal law enforcement agency, with limited and specified powers. It is responsible, just as all other law enforcement agencies, to the elected representatives of the people. The policies of the FBI at all times are under the supervision of the Attorney General, and its appropriations are provided by the Congress. The FBI is not, in any sense of the term, a national police agency, a unilateral, separate, independent agency working outside the main stream of democratic law enforcement.

At the present time the FBI has jurisdiction over more than 120 violations of federal law.¹ The FBI, as the investigative arm of the Department of Justice, is strictly a fact-finding agency. It is interested exclusively in obtaining the facts — accurately, completely and without bias. It does not authorize or decline prosecution, or make recommendations or evaluations. This duty belongs to other officials of the government.

The objective of the FBI is to protect the individual, to bring the evildoer to justice. By so doing, it is at the same time strengthening the security of the community. Law enforcement may be likened, in correct analogy, to a vast umbrella, sheltering the citizen and the state from the attacks of the criminal. Neither civil liberties nor the government could long endure if the evildoer were allowed to ply his trade unmolested. In fact, the criminal is in rebellion against the law. He is comparable to an aggressor nation in international society. Individual aggression, as well as international aggression, must be curbed if peace and security are to reign. That is law enforcement's basic obligation in the protection of civil liberties.

MAINTAINING INVIOLENT THE HISTORIC CIVIL LIBERTIES OF THE INDIVIDUAL WHILE ENGAGED IN DEFEATING THE CRIMINAL

Law enforcement, however, in defeating the criminal, must maintain inviolate the historic liberties of the individual. To turn back the criminal, yet, by so doing, destroy the dignity of the individual, would be a hollow victory. This is a problem of great concern in the discussion of civil liberties.

Law enforcement is, in fact, an agency of government. It is con-

¹ Some of these statutes have been in effect for many years, *e.g.*, White Slave Traffic Act, 36 STAT. 825 (1910), 18 U.S.C. § 397 (1946); Interstate Transportation of Stolen Motor Vehicle Act, 59 STAT. 536 (1945), 18 U.S.C. § 408 (1946) (formerly the National Motor Vehicle Theft Act of 1919). In the 1930's by the passage of the "Federal Crime Bills" (*e.g.*, National Bank Robbery Act, 48 STAT. 783 (1934), 12 U.S.C. § 588a (1946); Federal Extortion Statute, 48 STAT. 781 (1934), 18 U.S.C. § 408d (1946); Federal Kidnapping Statute, 48 STAT. 781 (1934), 18 U.S.C. § 408a (1946)), Congress greatly increased the responsibilities entrusted to the FBI.

trolled, directly and indirectly, by the people. Nevertheless, by the very nature of modern-day government, it possesses, like other agencies, a certain area of independence — outside the scope of immediate supervision but always facing a final accounting for its acts. This particular area, where the officer is temporarily "on his own," so to speak, is of tremendous importance. It can be and, in some rare instances, has been abused, resulting in the violation of civil rights. It is in this area that law enforcement ethics must rise to prevent abuses, such as third degree techniques, unlawful arrests, unreasonable detentions, illegal searches and seizures. These practices are anathema to civil liberties, destroying the very heart of the American democratic system. They represent law enforcement at its worst.

Here is the very heart of the problem: the vital necessity of having men and women in law enforcement who hold inner allegiance to the principles of democracy and perform their duties in a completely legal manner. There have been abuses — that cannot be denied. But these are the symptoms of a dying school in law enforcement, of the poorly trained officer who lacks the technical know-how to compete with the criminal. Year after year these abuses are decreasing; the modern-day officer feels no need to stoop to dishonorable methods. He is better trained. He is utilizing up-to-date scientific techniques of crime detection to win his battles.

I have fought, during my 27 years as Director of the FBI, for the development of law enforcement as a profession. I have worked for better training programs, modern equipment, adequate salaries, and above all, a personal integrity which scorns the temptations of graft, bribery and corruption. Time after time I have seen law enforcement betrayed and civil liberties violated by one of these factors: by a poorly trained officer who thinks brute strength and sadistic cruelty will bring a confession; by the resignation of intelligent, fearless and honest police officers who simply could not and would not make law enforcement a career at such low wages and long hours; by poor morale caused by lack of civic respect and the treatment of the police department as the "lost duckling" of government, deprived of funds, equipment and interest; by police officers who, for a piece of silver, betray their sacred calling to the lust, greed and vice of the crooked politician or gang leader.

PROBLEMS FACING LAW ENFORCEMENT

These are some of the enemies of civil liberties in the field of law enforcement: poorly trained officers; lack of community interest in providing adequate salaries, equipment and personnel; corruption within

the profession, though involving only a very small minority, yet paralyzing in its effects; failure to keep pace with up-to-date crime detection methods. These make for poor quality law enforcement and allow abuses of civil liberties. We can have the Constitution, the best laws in the land, and the most honest reviews by the courts — but unless the law enforcement profession is steeped in the democratic tradition, maintains the highest in ethics, and makes its work a career of honor, civil liberties will continually — and without end — be violated. Moreover, law enforcement must have the tools to do its job. To deprive a police department of training, equipment and good personnel policies is to invite the very evil we abhor. The best protection of civil liberties is an alert, intelligent and honest law enforcement agency. There can be no alternative.

A few actual cases will illustrate the problems faced today by law enforcement in its struggle to achieve professional status and to develop an unimpeachable code of conduct:

A police department in a northern state, for example, was particularly handicapped because the mayor, who reportedly was closely associated with gambling interests, would not provide permanent appointments to the police force, including the position of chief. All officers held acting appointments. Why? The mayor constantly had the entire department at his will and discretion! How can law enforcement be effective under such conditions?

The sheriff in another state scoffed at training schools for law enforcement officers. He and his men, he said, were too busy to attend. What was the result? Inefficiency, lack of an adequate records system, poor performance.

A chief of police was greatly worried. His department, at that time, had 11 less police officers than 20 years ago! Yet, in this period, as might be expected, his city had greatly increased in population. Many new problems in law enforcement were arising — how could he do an adequate job?

In one county gambling houses were closed — it was an election year. If the sheriff wouldn't have an opponent, it was said, gambling would be resumed. If he were opposed for office, however, gambling would remain closed during the campaign. What happens to law enforcement when a sheriff's efficiency varies with the political season.

Here are the obstacles to good law enforcement. Can you expect civil liberties to be preserved when the community tolerates such unhealthy conditions?

Great progress, nevertheless, has been achieved during recent years to overcome these handicaps and make law enforcement a profession

of efficiency, respect and honor. More and more communities, by full-fledged support, adequate financial appropriations, and interest in police problems, are creating a new, progressive, modern concept of law enforcement. This is encouraging indeed, and these communities will reap an ever higher quality of protection.

EFFECTIVE TRAINING AIDS CIVIL LIBERTIES

Law enforcement itself is today doing much to conquer the fetters which bind it. First and foremost is training — the creating of an intelligent, responsible and trustworthy officer of the law. In 1935 the FBI National Academy was founded,² and to date 2,426 law enforcement officers from every state of the Union, territorial possessions and a number of foreign countries have been graduated. The primary purpose of the National Academy is to train selected local law enforcement officers as police administrators and instructors. At the present time over twenty-six per cent of the graduates are the executive heads of their respective departments. Many of them, upon their return home, have instituted training programs for their brother officers, utilizing material learned in the National Academy classes as their basic outline. We estimate that over 100,000 local law enforcement officers have benefited, directly or indirectly, from the National Academy.

The Academy's curriculum includes, among other things, courses especially designed to promote knowledge of and respect for civil rights. For instance, instruction is given on such topics as "Law Enforcement as a Profession," "Ethics in Law Enforcement," "Laws of Arrests, Searches and Seizures," "Rules of Evidence," and "The Constitution and the Bill of Rights." In addition, throughout the period of training, the officers are constantly reminded of their obligations, legal and moral, to respect the rights of every individual. These National Academy courses give the local officer a basic understanding that law enforcement is a profession of honor, that the police officer must at all times be an exemplar of legality, and that successful crime detection can only arise from a scrupulous regard for civil rights.³

² An applicant to attend the Academy must be a regular full-time law enforcement officer with at least two years' experience, not over 50 years of age, capable of performing vigorous physical activities, of unimpeachable character and reputation, and possessed of latent ability as an instructor or administrator. Each training session is 12 weeks in length, 10 weeks being devoted to general training and 2 weeks to specialized topics. No tuition or fees are charged, though the student must pay his own living expenses.

³ The number of local officers who are able to attend the National Academy, in relation to the national total, is extremely small. Therefore, the FBI provides training, if desired, for officers in their own departments. In the 1951 fiscal year, ending

The passage of years has brought confirmation of the principles exemplified in the National Academy. These graduates are at work, putting into practice the information learned in the classroom. And they are doing good, giving meaning to the concept that law enforcement can be a profession of honor and trust. A National Academy graduate has reorganized the records section of a department; has instituted a training program; has established higher standards of personnel selection. These are the reports which reach my desk day after day — and give buoyancy to the hope that we are well on the way. The higher the standards of law enforcement, the greater the protection for civil liberties.

The FBI also maintains a training program for its own Special Agent personnel.⁴ Special Agents must either be (1) graduates of an accredited resident law school or (2) graduates of an accredited accounting school or possess a four year resident college degree, with a major in accounting.⁵ These high educational qualifications ensure the finest of America's young manhood. Before being assigned to field investigative work, the new Special Agent is given an intensive 16 week period of training.⁶ He receives, among other things, instruction in Constitutional law and the Bill of Rights. He studies Federal criminal procedure, and is carefully instructed on searches and seizures, interviews and confessions and the need at all times for the protection of the rights of the individual. The rules of evidence are thoroughly explained and the statutes over which the FBI has jurisdiction analyzed.

The FBI's training program, in every respect, is aimed toward teaching Special Agents their obligations as officers of the law. For example, in firearms training, Special Agents are taught that at all times the

June 30, 1951, for example, the FBI participated in a total of 2,380 police training schools. In these schools training was given in crime detection problems and at all times the theme of civil liberties, as presented in the National Academy curriculum, was stressed.

⁴ Applicants must be male citizens, willing to serve in any part of the United States or its territorial possessions, between the ages of 25 and 40, in good physical condition, and of unimpeachable character. Prior to any appointment being made, those applicants showing proper basic qualifications are investigated with the object of securing additional evidence of their qualifications and fitness for the position, their scholarship, employment, conduct, honesty, character and habits.

⁵ At the present time, because of the national emergency and the urgent need for investigative personnel, individuals possessing only a resident four year college degree are being considered for employment. All other basic qualifications, however, remain the same.

⁶ Training is given in FBI Headquarters, Washington, D. C., and the FBI Training Academy, Quantico, Virginia.

safety of the innocent bystander, and the criminal himself, must be considered as well as that of the arresting officer. The criminal should be apprehended alive, not needlessly injured or slain. Likewise, Special Agents are taught that any suspect or arrested person, at the outset of an interview, must be advised that he is not required to make a statement and that any statement given can be used against him in court. Moreover, the individual must be informed that, if he desires, he may obtain the services of an attorney of his own choice. Duress or brutality of any type is absolutely forbidden. Any Special Agent guilty of such conduct is subject to immediate dismissal from the service. The highest ethics of law enforcement become part of the Special Agent's credo. Nothing less can be accepted.

ROLE OF TECHNICAL CRIME DETECTION

The trained police officer must possess, in addition, extensive knowledge of the techniques of technical crime detection — the scientific laboratory⁷ and fingerprints.⁸ These topics occupy a large role in the training program of FBI Agents, as well as the National Academy. Offhand, the casual observer might comment that a fleck of paint, a teaspoonful of dirt or a set of fingerprints is far removed from the subject of civil liberties. Not at all. These technical skills, developed over recent years, have greatly increased the effectiveness of law enforcement and, as a result, have strengthened civil liberties. Day after day they are solving cases, identifying the guilty and protecting the innocent. The law enforcement officer, utilizing the microscope, the X-ray or the criminal record, is depending on skill, intelligence and resourcefulness to out-manuever the evildoer — not brute force, cruelty or dishonorable methods.

Technical crime detection methods have greatly reduced arbitrary intrusions on civil liberties. The apprehended suspect won't talk! Third degree methods, the ill-trained officer might think, perhaps a severe beating, will force a confession. But the trained officer, schooled in the latest techniques of crime detection, will think otherwise — he will go to work, locating a latent fingerprint, a heelprint in the mud, or a toolmark on a safe. These items of evidence are brought into play to help determine, through the orderly operation of the American judicial system, the guilt or innocence of the accused.

⁷ The FBI Laboratory was founded in 1932 and at the present time contains over a million dollars worth of equipment. The laboratory will examine, free of charge, any piece of evidence submitted by a federal agency or duly authorized law enforcement official, provided it, or any other evidence in the same case, has not and will not be subjected to the same type of technical examination by another expert.

In one case, for example, a young man admitted having in his possession a mutilated ten-cent piece which the cashier of a bank thought he recognized as one of the coins taken from his bank during a burglary. The suspect denied the theft, saying that he had mutilated the coin while using it as a target in shooting against a tree. An FBI Agent and local officers cut out the appropriate section of the tree, and the FBI Laboratory confirmed the young man's story. Technicians found eleven copper-coated bullets and two small metal fragments, determined to be deformed pieces of coin metal, one of them bearing the letter "D" and a portion of the letter "S." The missing section of the mutilated dime would necessarily bear those letters. The innocence of the young man was proved. Certainly civil liberties was the victor. Justice could have no higher obligation than to determine the truth!

The possibilities of technical crime detection are unlimited. Each year the law enforcement official becomes more skilled. In the FBI Laboratory, for example, we are now utilizing an electron microscope which, with the aid of photography, can create magnifications of 100,000 times, compared with the ordinary light microscope's approximate 2000-times magnification. This instrument is symbolic of things to come—evidence, which a few years ago might have been too minute for analysis, now becomes of first-rate importance.

The FBI Identification Division presently possesses over 123,000,000 sets of fingerprints. These prints are working each day, like scientific criminal examinations, in the interests of better law enforcement: identifying fugitives, solving criminal cases, and protecting the innocent. The Identification Division has become, since its founding, a national clearinghouse for fingerprints. Like the FBI Laboratory, this service is rendered willingly and without charge for the benefit of local law enforcement.

Specialized training, fingerprints, scientific examinations—these are the very sinews of law enforcement's contribution to preserving civil liberties. The very fact, however, that their significance is not appreciated by many people in the community leads to their neglect; hence, poor police salaries, inadequate equipment, tolerance of corruption. If the citizen suddenly realized that these factors vitally affected him—perhaps, some day, to prove his innocence against false charges, to protect his life and property against illegal attack, to guarantee his right to travel the streets at night without molestation—then he would, without question, hold law enforcement in greater respect, help understand its problems and lend his support.

But to law enforcement this fact is most evident: regardless of the quantity or quality of the tools provided by the community, they can

become effective instruments in the defense of democratic society only in the hands of officers whose inner faith and integrity are unquestioned. Here lies the sacred responsibility of law enforcement—to build the men and women who are willing to work, live and, if necessary, die for the ideals which have made this nation strong.

FEDERAL CIVIL RIGHTS STATUTES

All of the civil rights enjoyed by the citizens of this country are not protected by the Federal Government. The Constitution, in fact, secures relatively few rights to the individual. This document deals primarily with (1) relations between the various governmental agencies, federal and state, and (2) the government and the citizenry, rather than with the relations of private individuals to each other.

The two principal civil rights statutes over which the FBI has jurisdiction are Sections 241 and 242, Title 18, United States Code (Supp. 1951)⁹. These statutes are highly restrictive in nature and the FBI's investigative jurisdiction is limited. The essential elements of Section 241 are:

- a. Two or more persons conspiring to injure, oppress, threaten or intimidate any citizen,
- b. In the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having exercised the same; OR
- a. Two or more persons going in disguise on the highway, or on the premises of another,
- b. With intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured.

The chief violations arising under this section involve involuntary servitude and slavery¹⁰ and election law violations.¹¹ Individuals having no law enforcement status may be prosecuted under this section.

Section 242 has the following elements:

- a. A person acting under color of any law, statute, ordinance, regulation or custom

⁹ The Identification Division was founded in 1924 by a consolidation of the criminal records on file at Leavenworth Penitentiary with those of the International Association of Chiefs of Police (a total of 810,188 fingerprint cards). The prints are presently maintained in two basic files: criminal, now containing approximately 23,000,000 prints; and noncriminal, roughly 100,000,000 prints.

¹⁰ Related sections include 18 U.S.C. § 243 (Supp. 1951) (exclusion of jurors on account of race or color) and 18 U.S.C. § 244 (Supp. 1951) (discrimination against persons wearing uniform of armed services).

¹¹ Additional statutes: 18 U.S.C. §§ 1581-1588 (Supp. 1951).

¹² Additional statutes: 18 U.S.C. §§ 591-612 (Supp. 1951).

- b. Willfully deprived, or caused to be deprived from any inhabitant
- c. Rights, privileges or immunities secured or protected by the Constitution or laws of the United States; OR
 - a. A person acting under color of any law, statute, ordinance, regulation or custom
 - b. Willfully subjected, or caused to be subjected, any inhabitant,
 - c. To different punishment, pains or penalties than prescribed for the punishment of citizens,
 - d. On account of such inhabitant being an alien, or by reason of his color or race.

This section covers duly constituted law enforcement officers who have deprived an individual of a right or privilege guaranteed under the Constitution or the laws of the United States. The gist of this offense is the intentional misuse of the power of public office.

Upon receipt of a complaint or learning of a civil rights incident from any source indicating a possible violation of Sections 241 and 242, the FBI conducts an investigation. If the facts so warrant, a full and complete investigation is conducted and the results promptly furnished to the Department of Justice for a determination as to whether there will or will not be prosecutive action. The FBI's role is strictly investigative; to determine all the facts accurately, fairly, and promptly.

Civil rights cases are considered of the greatest importance by the FBI. They are afforded the most expeditious, thorough and meticulous attention. The FBI has conducted special civil rights schools for selected Special Agents, giving them detailed instructions in the handling of these cases. Only those Special Agents who are experienced in the Bureau's work are assigned to the investigations. A special Civil Rights Section at FBI Headquarters carefully supervises the field's work. The FBI's investigations are conducted impartially, without bias or prejudice, and with the most painstaking efforts to obtain all the facts. Frequently, these cases require extensive work, the interviewing of many witnesses, some of whom may be hostile, and the securing of evidence against law enforcement officials who have cooperated with the FBI in other cases.

SECURITY INVESTIGATIONS

Security investigations especially affect the FBI which is charged with a large share of the protection of the nation's internal security.¹²

Great interest, and most rightfully so, is presently being expressed

¹² The FBI does not have responsibility for the physical protection of the nation's industrial plants. The Munitions Board is responsible for formulating the policies, procedures and standards from a security standpoint in those plants that manufacture defense materials.

about the relation of the state and the individual in matters of security. Communism represents a different kind of enemy, an enemy new in the ideological patterns of human thought. The nation never before has been faced with an external enemy of such danger. Communism is not hostile to one sector of our society, but to non-Communist civilization itself. It would obliterate, completely and ruthlessly, everything we cherish. Moreover, it is not only an external enemy; through ideological infection, thousands of its agents have been planted in our midst. It has a shocking—almost unbelievable—way of converting individuals born, reared and educated in America to its fold. Not only that, but its converts are often difficult to identify—lying like serpents in ambush in an industrial firm, labor union, school, or church, waiting for the opportunity to strike.

The nation's security is today threatened on the internal security front by a foe inexplicably deadly, employing experiences gained in 100 years of battle, parading under highly misleading disguises, and dedicated, as an infallible rule of conduct, to utilizing, whenever necessary, illegal means to gain its objectives. That is America's danger.

A free society must defend itself. Democracy is not impotent. Steps must be taken to defeat the enemy—not only on the battlefield, but here at home. The founding fathers never visualized free government's being betrayed by a lack of ability, enthusiasm or will to defend its principles.

The problem, therefore, is not "Shall free government defend itself?" but "How can free government defend itself and still maintain the liberties of the individual?" To disregard the individual, to view him as meaningless and the security of the state as all important, is equally to betray democracy. Free government cannot be defended by dictatorial methods—in so doing the defender will devour the very thing to be defended. The protection of the individual is just as important as the safety of the state. Our task, in this mid-century decade, is to proceed along a path whereby we can achieve national security and yet maintain our freedoms.

The FBI's responsibilities in this regard are based on various Congressional enactments such as the espionage¹³ and sabotage statutes,¹⁴ the Smith Act,¹⁵ the Foreign Agents Registration Act,¹⁶ the Internal Security Act of 1950,¹⁷ rulings of the Attorney General and Presidential Di-

¹³ 62 STAT. 736 (1948), 18 U.S.C. §§ 791-797 (Supp. 1951).

¹⁴ 62 STAT. 798 (1948), 18 U.S.C. §§ 2151-2156 (Supp. 1951).

¹⁵ 54 STAT. 670 (1940), 18 U.S.C. § 2385 (Supp. 1951).

¹⁶ 64 STAT. 399 (1950), 22 U.S.C. § 612 (Supp. 1951).

¹⁷ Pub. L. No. 831, 81st Cong., 2d Sess. c. 1024 (Sept. 23, 1950).

rectives. President Roosevelt in a directive made public on September 6, 1939, placed upon the FBI the duty of correlating internal security investigations.¹⁸ This directive called upon all law enforcement agencies to furnish promptly to the FBI any information in their possession regarding espionage, sabotage, and subversive activities. President Truman, in a directive issued July 24, 1950, re-emphasized this policy, urging all law enforcement agencies, patriotic organizations and individuals to assist the FBI in fulfilling its responsibilities.

In the field of internal security, the FBI's obligations may be divided into two major categories: (1) General Security Operations, which involve counter-espionage, counter-intelligence and counter-subversion. In this category, the FBI is responsible for the investigation of espionage, sabotage and subversive activities. The greatest amount of effort, of course, has been concentrated on the Communist threat, especially the Communist Party, USA. (2) Special Security Operations, which encompass, chiefly, applicant and employee investigations arising from Congressional enactments or Executive directives specifically calling upon the FBI to obtain and report the facts pertaining to security, character and loyalty in the government service. The Atomic Energy Act of 1946,¹⁹ the Federal Employees Loyalty Program,²⁰ and various

¹⁸ This Directive reads: "The Attorney General has been requested by me to instruct the Federal Bureau of Investigation of the Department of Justice to take charge of investigative work in matters relating to espionage, sabotage, and violations of neutrality regulations.

"This task must be conducted in a comprehensive and effective manner on a national basis, and all information must be carefully sifted out and correlated in order to avoid confusion and irresponsibility.

"To this end I request all police officers, sheriffs, and all other law enforcement officers in the United States promptly to turn over to the nearest representative of the Federal Bureau of Investigation any information obtained by them relating to espionage, counterespionage, sabotage, subversive activities and violations of the neutrality laws."

¹⁹ 60 STAT. 755 (1946), 42 U.S.C. § 1801 (Cum. Supp. 1951). Under this Act the FBI has no responsibility for physically safeguarding Atomic Energy installations, materials or security data. However, it is charged with the investigation of alleged violations of the criminal provisions of the Act. Moreover, the Act requires the FBI to investigate "the character, associations, and loyalty" of every Atomic Energy Commission employee and applicant, and any other person having access to restricted Atomic Energy data. The FBI furnishes factual reports to the Commission in cases of this type but does not draw conclusions or make recommendations as to the action to be taken.

²⁰ Exec. Order No. 9835, 12 FED. REG. 1935 (1947).

miscellaneous applicant investigations²¹ have provided the great bulk of work in this field.

The role of the FBI in security investigations, as in criminal cases, is to adhere strictly to its position as a fact-finding agency only, leaving to other legally constituted authority the responsibility for making decisions as to action to be taken on the facts developed. The FBI does not make recommendations, evaluations or express opinions.²² Its job is solely to gather the facts.

The FBI has been investigating the Communist conspiracy for many years. The Communist Party, USA, in fact, is a "state within a state," requiring extreme skill, patience and effort to penetrate. Members of the Communist Party have been identified, its activities followed,²³ legally admissible evidence secured. An individual has been investigated as an individual—no all-embracing, "shotgun" approach has been utilized. This has required meticulous, constant and time-consuming efforts. The FBI is not interested in what an individual thinks, but what he does to undermine the nation's security — not in his ideas, but his deeds. A man may think what he desires, he may read what he desires, he may have faith in what he desires—that is his right in a democratic society. The FBI has no concern about his thoughts — only when they are translated into action which results in a violation of a federal law over which the FBI has jurisdiction. Then the FBI will investigate.

The FBI's investigations are purposive and discriminate. Before a case is opened there must be a specific allegation which, if proved true, would constitute a matter within the FBI's investigative jurisdiction. These investigations are not promiscuous or designed to "fish" for information — these are the methods of a dictatorial police intent on destroying every vestige of freedom. The FBI operates strictly within its investigative jurisdiction. That has been a cardinal and unalterable policy since I became Director in 1924.

The validity of the FBI's work in the internal security field was demonstrated by the conviction of the eleven members of the Communist Party's National Board in New York City after a lengthy trial

²¹ These include, among others, the following agencies and programs: Voice of America Program; European Recovery Program; International Labor Organization; and International Development Program.

²² If the FBI receives information, either of a criminal or subversive nature, outside the scope of its jurisdiction, these data are immediately transmitted to the appropriate local law enforcement or government agency. No comment, evaluation or recommendation is made by the FBI.

²³ The FBI, of course, is responsible for intelligence information and in its security investigations collects data of this type. If of interest, this information is immediately disseminated to other agencies of the government.

in October, 1949.²⁴ This trial represented years of work, development of informants inside the Communist Party, and evidence collected on each of the defendants. The Government's case stood the bitter attack of the Communist defense, which utilized every device, tactic and method of harassment and delay to impede the orderly operation of justice.

This approach to the internal security problem — an objective search for the truth; slowly, carefully, patiently developing all the evidence; and handling each subject on an individual basis — safeguards civil rights. The blunderbuss method, shooting wildly, hoping that in the broadside the guilty will be hit, unmindful of the number of innocent injured — that method is wrong, the very antithesis of democratic law enforcement. Security investigations can be conducted fairly, accurately and without hysteria. That is the aim of the FBI.

For example, in the search for Dr. Klaus Fuchs' American contact — the man who had transmitted vital atomic secrets from the German-born scientist to the Russians — literally hundreds of suspects were considered. Identifying details were few: the FBI possessed, in fact, only the vaguest outline of this mysterious espionage agent. But that man, somewhere in the United States, had to be found! The field was narrowed, step by step, until, above all others, the finger of suspicion pointed to one man — a New York City engineer who, more than any other suspect, met the general physical and background requirements of the espionage contact. Pictures of the most likely suspects, including the engineer, were flown to England, where Dr. Fuchs was then in prison. The scientist rejected all photographs except one — that of the New York engineer! After carefully examining the picture, attempting to focus his memory on the man he had met in America, Fuchs exclaimed, "I think it is the man."

The long search was ended — but, no, it had not! The New York engineer was innocent.

The FBI's investigation kept going. Agents knew, despite Fuchs' tentative identification, that the full story was yet incomplete. Literally days and weeks of intensified effort brought forth the truth — an obscure, self-effacing Philadelphia chemist by the name of Harry Gold and, through him, a fantastic story of American betrayal, treason and intrigue.

The search for the truth has no halfway stopping point. It must go forward to the final goal.

These investigations are twofold: to protect the national security and to preserve individual liberties. Harry Gold simply had to be found.

²⁴ N. Y. Times, Oct. 15, 1949, p. 1, col. 8.

What if he were still an active espionage agent? Who were his contacts? Did he have associates? The security of the nation demanded that his identity be determined. Yet, at all times, the FBI's investigation protected the liberties of the individuals involved. The guilty party was identified; the innocent men, like the New York engineer who had even been tentatively named by Fuchs as the culprit were exonerated! Truly, this is in the highest traditions of American democracy.

In 1947 the FBI was given additional responsibilities by the institution of the Federal Employees Loyalty Program.²⁵ The FBI first began conducting investigations into the loyalty of federal employees in the 1942 fiscal year when the Department of Justice Appropriations Act provided for the investigation of any government employee belonging to a subversive organization or advocating the overthrow of the Federal Government.

Similar provisions were made in 1943, but there was no specific appropriation in 1944. The Attorney General, however, instructed the FBI to continue this type of investigation under the provisions of the Hatch Act which prohibits federal employee membership in any organization advocating the overthrow of our Constitutional form of government.²⁶ These instructions remained in effect until the Federal Employees Loyalty Program began. Executive Order 9835 was signed by the President on March 21, 1947.²⁷ On August 1, 1947, the Congress appropriated the funds necessary to implement the Executive Order.

Under the Order the FBI is required to search through its files the names and fingerprints of all employees and applicants for positions in the Government's Executive Branch and to report any information indicating disloyalty. When such information is disclosed by the file search, full field investigations are conducted and complete reports submitted by the FBI.

The FBI's role under the Loyalty program is to report the facts to the Civil Service Commission without bias, conclusions or recommendations. It is the responsibility of the employing agencies and the Loyalty Hearing Boards to weigh the facts and to decide the proper administrative action.²⁸ The same basic, fundamental principles of investigative ethics are applied by the FBI in loyalty investigations as in other types of security cases.

²⁵ Exec. Order No. 9835, 12 FED. REG. 1935 (1947).

²⁶ 53 STAT. 1147 (1939), 5 U.S.C. § 118j (Supp. 1951).

²⁷ See note 25 *supra*.

²⁸ As of January 31, 1952, a total of 4,130,939 loyalty forms had been received and retained since the inception of the program. These included 1,790,313 incumbent and 2,340,626 appointee forms. The Loyalty Program is in a current status, with

The FBI operates on the highest code of ethics, attempting to fulfill its responsibilities yet, in every iota, respecting the civil rights of the individuals involved. This means that Special Agents not only observe the letter but also the spirit of the law, not only the basic rights guaranteed to the individual by law, but also the rights implied in the American tradition of democracy. FBI Agents are gentlemen at all times, conducting themselves in a businesslike, respectful and efficient manner. Their personal conduct is above reproach, their characters impervious to the temptations of financial graft, inaccurate reporting or deliberate omission of facts. They feel proud to be FBI Agents, and wherever they may be, they form part of a great tradition of loyalty, integrity and devotion to duty. Their objective is to obtain the facts, and facts only. Promotions depend exclusively on merit, not on political favoritism, the "friends" they know, or the amount of "derogatory information" they unearth. They are secure in their jobs, not afraid of outside intimidation, threats or fears. They can, therefore, concentrate on their specific task, knowing they will not be undercut by political bickering, personal strife, or arbitrary changes of policy.

These factors make for fair and impartial investigations — they are the very lifeblood of the FBI. Special Agents, moreover, in their investigations maintain a demeanor of conduct, by their manner of asking questions, soliciting information and securing evidence, which protects the character and reputation of the individual being investigated.

For example, in conducting a Loyalty of Government Employee investigation, a neighbor or friend being interviewed will be advised that "Under an Executive Order, all government employees and applicants are being checked as a part of the Loyalty program. Mr. John Doe is a government employee (or an applicant). He is being checked under this program," and no mention, either directly or indirectly, is made of any derogatory information, if any, in the possession of the Agent. This protects the civil rights of the person involved. He is not slandered and maligned by unproved charges emanating from intemperate utterances of an investigator. A poorly conducted investigation can wreak havoc

only 8,249 forms on hand being processed. Full field investigations have been opened on 8,513 incumbents with 8,435 completed, while 12,071 investigations have been opened on appointees with 11,322 completed.

The Civil Service Commission has advised that as of December, 1951, according to the Loyalty Review Board, the following dispositions have been made on loyalty cases involving both incumbents and appointees:

Dismissed as a result of ineligible determination	365
Persons rated eligible	10,048
Employees left service during investigation	2,140
Employees left service prior to adjudication of cases	2,123

with civil liberties and leave a trail of dishonor, innuendoes, and false charges.

Of course, the investigative endeavors of the FBI are always under the scrutiny of public opinion. Individuals interviewed have the privilege, if they desire, to write the FBI or other appropriate agencies of the Government. The newspapers, radio and television are constantly alert, as are patriotic organizations, groups and individuals, to any infringement of civil liberties. If an allegation is made, at any time, about the conduct of an FBI Agent, we immediately conduct a complete investigation. Invariably, the allegations have been disproved.

In addition, as in criminal cases,²⁹ the FBI Agent's specialized training enables him to distinguish fact from rumor, to run down the incomplete, the half true and the unconfirmed. This factor is playing a vital role every day in protecting civil liberties. Malicious gossip, idle rumor and spite complaints are detected, and, by complete and accurate investigation, the full and complete story obtained. Time after time innocent people, unfairly smeared or impugned, are exonerated.

In one case, for example, a citizen voluntarily furnished the FBI information that a certain individual, being considered for employment with the government, was a member of the Communist Party. This was a serious charge. The FBI's investigation, however, reflected nothing, except the original allegation, to indicate any disloyalty. Even the data cited by the complainant as proof of his charges were refuted. It was learned, moreover, during the investigation that the families of the original informant and the individual accused had been involved in a personal quarrel. They had been neighbors and as a result of a trivial incident considerable ill will existed. Here was a spite grudge, which — unless thoroughly investigated — might have ruined an innocent man's reputation.

In another instance, in a *Loyalty of Government Employees* case, information was received that a government appointee's husband was "known to be in sympathy with Russia." The original informant was interviewed. He stated that he heard this from Mr. X, who, when contacted, said that a Mr. Y had informed him and a friend that he had overheard the appointee's husband make remarks which led him to believe that this person was hostile to the United States and sympathetic to Russia. Mr. X and his friend commented that they had no reason to question the appointee's or her husband's loyalty.

Mr. Y, upon interview, expressed the opinion that the appointee's husband was a loyal American. He denied ever having told Mr. X or

²⁹ During the 1951 fiscal year 97.5 per cent of all persons brought to trial in cases investigated by the FBI were convicted, 94.5 per cent being on pleas of guilty.

Mr. X's friend that the husband made un-American or pro-Russian remarks. He added that he had probably discussed some other individual and had been misunderstood. Step by step, point by point, this allegation of disloyalty was traced and dispelled by the truth.³⁰

Moreover, in this connection, the confidential nature of FBI files gives additional protection to civil liberties. This is an important point. Only individuals specifically authorized by law have the right of access. This prevents information — some of which, of course, has not been confirmed or verified by investigation — from falling into the hands of unauthorized individuals who, through inadvertence or malice, might misuse it and thereby injure innocent people or give rise to vigilante action by private citizens outside the orderly procedures of law. Data kept in the hands of trained and experienced personnel, utilized only for official duty, are added insurance against their perversion. That is why, time after time, I have insisted that the FBI's files be kept confidential. The very heart of civil liberties is here involved.

In addition, by keeping the FBI's files confidential, the confidence of the citizens is promoted. They can furnish information secure in the knowledge that it will be kept confidential, will not be allowed unfairly to tarnish reputations, will not be used for vigilante actions or exploited for private gain. A piece of information voluntarily offered by a private citizen may be the link to help solve a case. To discourage the furnishing of data to the FBI is to promote inefficiency, poor quality work, and, in the long run, to decrease the community's protection.

Public confidence in law enforcement is another important factor in the preservation of civil liberties. Too often a rumor, an unfounded allegation, an honest mistake will cause private citizens, even whole communities, to agitate for vigilante action. During the early days of World War II, for example, rumors of submarine landings, suspicious strangers, enemy parachute troops were abroad. Amid hysteria and panic, rumors compound, reason flees and the law is trampled under foot. Within minutes, civil liberties, often of innocent individuals, may be horribly abused by private citizens, who, even though patriotic and well-intentioned, are highly misinformed and ill-advised. This type of action is abhorrent, the enemy of free government. Confidence must be placed in the American judicial system adequately to handle the situation. That is the only solution.

There are calls today, whether from the misguided or from persons

³⁰ The FBI Laboratory is also of great assistance in security work. In Loyalty of Government Employees cases, for example, handwriting experts, after carefully examining Communist nominating petitions, have often determined that a signature on the petition was not written by the government employee.

harboring ulterior motives, urging that the Communists be "liquidated." "A few fast raids, a dozen trees and a few yards of rope — that would finish them off." This is the attitude of the frenzied individual who, in the grip of emotion, would destroy the very freedom he is seeking to maintain. The Communists admittedly are a danger, but they can be handled through the orderly operation of the American system of government. The confessed members of the Communist Party, who, at a moment's notice, would destroy the nation, must be accorded the same rights as any other individual. That is the American way.

The FBI, in fulfilling its responsibilities, is respecting civil liberties. Its investigations are being carried out with a minimum of manpower and financial expense.³¹ Of course, during recent years the FBI has increased in size. That was unavoidable. But yet the FBI is still a small agency.

At the present time, for instance, there is one Special Agent for roughly 23,000 inhabitants in the United States. Or looking at the topic from another angle, there are approximately five Communist Party members in the United States for every Special Agent and an estimated fifty fellow travelers. These figures show, in relative proportion, the size of the FBI in the over-all governmental structure. By no stretch of the imagination is the FBI a vast, colossal bureau, growing with uncontrollable speed.

Moreover, as I have repeatedly reiterated, the United States has no need for a national police agency. The present system of law enforcement, local, state and national, working together in voluntary and fraternal cooperation, can fulfill its responsibilities. What is needed is not a new structure of law enforcement, but strengthening, improving and making more efficient the present arrangement. That is what intelligent law enforcement officers are now attempting to do, and with the aid of America's citizenry, it can be done.

Law enforcement is today, in mid-twentieth century America, dedicated to fulfilling its sacred obligations — preserving both national security and personal freedom. There is no fixed boundary where a line can be drawn between the two. To achieve such a boundary is to pursue a false hope. But we in America, I think, can make great strides in finding a solution. We know that security and freedom cannot stand alone — one without the other is meaningless. The problem is not to separate them, but to weave them together. The law enforcement pro-

³¹ During the 1951 fiscal year, the FBI's return to the taxpayers in the form of fines, savings and recoveries totaled \$39,605,860. Benegotiation Act claims, moreover, investigated by the FBI and adjusted in favor of the Government totaled \$57,506,930.

fession, operating as an organ of democratic society, is determined to do its share.

The path will be difficult — but we can fervently ask, “To what greater work could we be called?”

December 10, 1952

Honorable Herbert Brownell, Jr.
140 East 19th Street
New York, New York

Dear Mr. Brownell:

I am enclosing a memorandum dealing with the activities of the FBI designed to lift the standards of law enforcement generally through the training of local, county and state law enforcement officers, which I thought you might find of interest.

With best wishes and kind regards,

Sincerely yours,

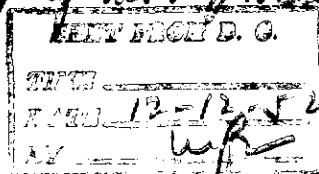
J. Edgar Hoover

Enclosure

cc: The Director
Mr. Ladd

LBN:MP

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Mohr _____
Tele. Rm. _____
Nease _____
Gandy _____



RECORDED - 70

INDEXED - 70

62-98585-12

WOT

December 10, 1952

~~POLICE TRAINING ACTIVITIES OF FBI~~

The first session of the FBI National Academy met on July 29, 1935, at a time when law enforcement was beginning to realize that training was the road by which the goals of improvement and professionalization could be reached. Training programs in many areas were nonexistent. Some elder police executives were opposed to police training at that time, feeling that since they had received no training upon entering law enforcement years before training was unnecessary. Other executives, however, recognized that if law enforcement was to become progressive and to meet the challenges facing it law enforcement officers must be given adequate training.

It was the belief of the FBI that brains, science, training, and hard work were the most effective weapons which law enforcement could wield against the enemies of society. The Director of the FBI believed that cooperating law enforcement agencies could reduce and repress crime to a much greater degree if all had the advantage of modern training and techniques. The Director also realized that despite the criticisms being directed against law enforcement during the gang era in the early 1930's our system of law enforcement, based on the mutual cooperation of national, state, and local agencies, was sound.

It was felt that one of the greatest dangers to law enforcement and to the nation as a whole lay in the demands of unthinking citizens for a national police system to cope with a crime problem which seemed to overwhelm existing agencies. Rivalry and competition thrived at the expense of good law enforcement and cooperation among agencies was too often reluctantly forthcoming. The FBI recognized that a national police force was not the answer. This would be substituting a greater evil for the lesser one.

The answer lay in lifting the level of law enforcement all along the line to the dignity of a profession. It was also our belief that the overwhelming majority of all law enforcement should be at the local and not the national level. Therefore, steps should be taken to make law enforcement more efficient and to bring about a greater degree of cooperation between all levels of law enforcement.

J. S. Rogers; mjp

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

62-98580 12

It was realized that while training for individual officers would be most valuable, it would not be immediately possible for the FBI to reach the great majority of men in law enforcement and to give those men the extensive training needed. The question was then raised as to why not plan a school which would qualify every graduate as an instructor or administrator. If every man who attended and was graduated was taught the latest methods and trends in crime detection and investigative procedures, the school would be worth while. But if the course could give the officer sufficient background, information, incentive, and instruction in methods of teaching so that on his return to his local agency he could organize and set up police training schools, then the value of such a school would be multiplied many times.

On the basis of this reasoning, a decision was made to set up the FBI National Academy and on July 29, 1935, twenty-three law enforcement officers from various parts of the United States reported to Washington to form the first session of the FBI National Academy.

Since that time, the curriculum has been rounded and fitted and changed to fulfill the needs of each session of the Academy. Always the twofold purpose has been kept: give each man the finest training available; prepare him to transmit the training which he receives to his fellow officers.

This early experiment in police training has proved to be unbelievably successful. The FBI National Academy is presently seventeen years old. Two thousand five hundred eighty-seven representatives of various law enforcement agencies representing every state in the Union, the territories and possessions, and numerous foreign countries have received diplomas signifying that they have successfully completed the FBI National Academy course.

Many of the graduates are administrative officers in their departments. The majority have instituted training programs. Others have improved existing programs. The impact of FBI National Academy training on law enforcement as a whole is revealed in the fact that of the 2,587 graduates, 26 per cent are the executive heads of their respective departments. This includes Chiefs, Sheriffs, heads of State Police Organizations and other law enforcement bodies.

Two sessions of the Academy are held each year; the Spring Session, which begins in March, and the Fall Session,

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

which begins in late August. Each session consists of approximately sixty men and lasts for twelve weeks. The first ten weeks are devoted to the general curriculum for the entire class and the final two weeks to specialized training in selected subjects. The curriculum for the first ten weeks includes instruction in police organization and administration; the use of records in administration; constitutional law dealing in particular with the laws of arrest, searches and seizures; firearms and ballistics; investigative procedures; fingerprint identification; defensive tactics; physical training; traffic control; prevention of juvenile crime; organizing and operating police schools and training methods; public speaking; photography; laboratory aids; and additional related subjects.

The training given represents a substantial amount of actual college work. Numerous courses which fit into the broad pattern of college education have been adjudged as acceptable for credit by institutions later attended by graduates of the FBI National Academy.

The final two weeks are devoted to specialized training of one week each in the following subjects: police organization and administration; use of records in police administration; firearms; defensive tactics; police photography; laboratory aids to investigation; fingerprint identification; investigative methods and techniques; and traffic control. The student specializes for one week each in two of the above courses. All National Academy graduates still in law enforcement are eligible to return to take either one or two weeks of specialized work in the concluding two weeks of each session if they so desire.

Regular classroom sessions are from 9:00 A.M. to 5:00 P.M., Monday through Friday. Evenings and week ends are generally spent by the students in typing notes. Each student must maintain a permanent notebook, which will contain typewritten copies of the longhand notes made during the classroom hours.

The faculty of the National Academy is comprised chiefly of trained instructors of the FBI. This group is supplemented by outstanding specialists in other fields. Nationally known criminologists, judges, doctors, police officials, and educators, as visiting faculty members, complete the staff. The instructors utilize all of the various methods of teaching in presenting the material to the class members. Considerable emphasis is placed upon the project method of training or "learning by doing." Lectures, motion pictures, slides, panel forums, conferences, and other training procedures and aids are used generously throughout the course of training.

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

The student learns to shoot correctly by spending rigorous hours on the firearms range under close supervision. He learns to classify fingerprints by working with actual fingerprint impressions. He learns the intricacies of crime scene searches by conducting a search of a simulated crime. He learns the correct methods of making arrests by studying arrest techniques.

Throughout the entire course of training, great emphasis is placed upon the basic view that law enforcement is a local responsibility and that the Federal Bureau of Investigation is unalterably opposed to a national police force and is also opposed to any further encroachment by the Federal Government upon the jurisdiction of the state, county, and local law enforcement agencies. The officers attending the Academy are made to realize that the purpose of the FBI in conducting the National Academy is to strengthen the hand of local law enforcement.

Ethics in law enforcement is also a dominant feature of the entire course and each officer must know the law and must respect the rights of the individual. The matter of civil rights is given much attention throughout the training course. All classes are taught that the third degree belongs to the dark ages and the use of brutality by a police officer is an admission that his intellect is inferior to that of the criminal.

At the completion of the twelve weeks' course of training, a brief but impressive graduation ceremony is held, at which time diplomas are awarded to the officers successfully completing the course of training.

Attendance at the National Academy is limited to law enforcement officers who have had two years of law enforcement experience, have not reached the age of fifty-one, and are possessed of excellent character and reputation. An officer must be nominated by the head of his agency before he is eligible to attend the Academy. Sheriffs, Chiefs, and heads of State Police Organizations may nominate themselves. A thorough investigation of all nominees is conducted prior to the time the officer is invited to attend the Academy.

There is no charge by the FBI and the only expenses involved are the transportation costs to and from Washington and the living expenses of the officer while he is in Washington.

The demand for attendance at the Academy continues to be very heavy since administrators have long ago recognized the great value of the National Academy. For the last several years there has been a substantial backlog of requests for attendance.

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

In addition to the FBI National Academy, the FBI extends services to all law enforcement agencies, upon request, in an effort to assist them in meeting their training needs on a local level. Special Agents of the FBI are in daily contact with the major police agencies and in less frequent but regular contact with other agencies, thus providing an adequate opportunity for the discussion of the training problems of the various police agencies and a medium for the handling of a request for assistance.

The FBI assists law enforcement agencies in the preparation of training programs based on the needs of each individual group to be given training as determined by the officials of the particular agencies. Instruction is provided by Special Agents, especially trained for this purpose, in all subjects pertinent to law enforcement which may be requested by the interested police agencies. The FBI also aids in the selection of some non-FBI instructors in the area who are well qualified to handle certain subject matters such as press relations, the duties of a coroner, and local ordinances and regulations. Among such instructors are many graduates of the National Academy, whose services can be made available without charge.

Training aids of various types prepared for use in such police training schools are also made available by the FBI.

Police training schools are departmental, zone, regional, or state-wide in scope. A departmental school is one which is held for one police department alone when that department is of sufficient size and has a sufficient number of men to be given training to justify holding a school exclusively for such a department. This is considered the most effective type of local police training as it permits greater concentration on problems peculiar to that department and also aids in the development of esprit de corps, good morale, and other valuable but intangible factors which are vital to the over-all functioning of a law enforcement agency.

Zone schools are held in areas where law enforcement agencies are small or do not have sufficient men in need of training to justify holding a school for one department alone. Usually five or six departments co-sponsor such a training school. A city having the necessary facilities and being reasonably convenient to all interested agencies is selected as the location for the school.

Regional schools usually cover a larger area and frequently are held for the purpose of providing training in such

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

specialized subjects as police organization and administration, traffic control, police record systems, juvenile control, fingerprint identification, or similar subject matters.

State-wide schools, as the name suggests, are held in cooperation with all of the agencies in a state and also usually have as their purpose the providing of training in one or more subjects of a specialized nature.

Instruction in the various police training schools covers all phases of law enforcement work and includes in addition to those previously mentioned such subject matters as investigative methods and techniques; scientific aids in criminal investigations; public relations; the laws of arrests, searches, and seizures; evidence; court procedures; firearms; defensive tactics; and all other matters pertinent to the field of law enforcement.

Recruit schools, in-service or refresher schools, advanced in-service schools, and schools for administrative and executive officials are held as requested depending on the needs of the interested agencies and the experience and duties of the men to be trained.

The assistance which is provided by the FBI to local police agencies in the field of police training is done without cost to the local agencies. In addition to Special Agents, who have been trained to assist in the planning and the providing of instruction in such schools, specialists in laboratory matters, identification matters, and police records matters are used depending upon the curriculum of the particular school. Over the years the FBI has participated in thousands of police training schools of various types for local police agencies. During the fiscal year ending June 30, 1952, assistance along these lines was rendered in connection with 2,350 police training schools.

In the local police training schools, as in the FBI National Academy, the theme running throughout the schools is that the public is entitled to efficient, courteous, honest, and impartial law enforcement and that when such law enforcement is provided there will be no demand by the people for national control of local law enforcement.

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

December 9, 1952

RE: POLICE TRAINING ACTIVITIES
FEDERAL BUREAU OF INVESTIGATION

The Federal Bureau of Investigation for many years has been interested in the general field of police training. This has included the operation of the FBI National Academy and participation in police training activities in cooperation with local police departments.

The FBI National Academy held its first session on July 29, 1935. It convenes twice annually and is designed to train police instructors and administrators. Since its organization 2587 men have been graduated from the 50 sessions of the National Academy. Twenty-six per cent of the graduates are now heads of the agencies to which they are attached. The National Academy, while basically patterned after the training school for FBI Special Agents, gives particular attention to problems which are peculiar to local police departments, and special emphasis is placed upon such matters as police organization and administration. For more detailed information in this connection, there is attached a copy of a booklet entitled "The Story of the FBI National Academy."

The FBI extends services to all law enforcement agencies, upon request, in an effort to assist them in meeting their training needs. Special Agents of the FBI are in daily contact with the major police agencies and in less frequent but regular contact with other agencies, thus providing an adequate opportunity for the discussion of the training problems of the various police agencies and a medium for the handling of a request for assistance. The FBI assists law enforcement agencies in the preparation of training programs based on the needs of each individual group to be given training as determined by the officials of the particular agencies. Instruction is provided by Special Agents, especially trained for this purpose, in all subjects pertinent to law enforcement which may be requested by the interested police agencies. The FBI also aids in the selection of other instructors in the area who are well qualified to handle certain subject matters such as press relations, the duties of a coroner, and local ordinances and regulations. Among such instructors are many graduates of the National Academy whose services can be made available without charge.

Attachment

J. A. Sizoo:atp

62-98543-12

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

Training aids of various types prepared for use in such police training schools are also made available by the FBI.

Police training schools are departmental, zone, regional, or state-wide in scope. A departmental school is one which is held for one police department alone when that department is of sufficient size and has a sufficient number of men to be given training to justify holding a school exclusively for such a department. This is considered the most effective type of local police training as it permits greater concentration on problems peculiar to that department and also aids in the development of esprit de corps, good morale, and other valuable but intangible factors which are vital to the over-all functioning of a law enforcement agency. Zone schools are held in areas where law enforcement agencies are small or do not have sufficient men in need of training to justify holding a school for one department alone. Usually 5 or 6 departments cosponsor such a training school. A city having the necessary facilities and being reasonably convenient to all interested agencies is selected as the location for the school. Regional schools usually cover a larger area and frequently are held for the purpose of providing training in such specialized subjects as Police Organization and Administration, Traffic Control, Police Record Systems, Juvenile Control, Fingerprint Identification, or similar subject matters. State-wide schools, as the name suggests, are held in cooperation with all of the agencies in a state and also usually have as their purpose the providing of training in one or more subjects of a specialized nature.

Instruction in the various police training schools covers all phases of law enforcement work and includes in addition to those previously mentioned such subject matters as Investigative Methods and Techniques; Scientific Aids in Criminal Investigations; Public Relations; The Laws of Arrests, Searches, and Seizures; Evidence; Court Procedures; Firearms Training; Defensive Tactics; and all other matters pertinent to the field of law enforcement.

Recruit schools, in-service or refresher schools, advanced in-service schools, and schools for administrative and executive officials are held as requested depending on the needs of the interested agencies and the experience and duties of the men to be trained.

The assistance which is provided by the FBI to local police agencies in the field of police training is done without cost to the local agencies. Certain Special Agents have been trained to assist in the planning and the providing of instruction in such schools. In addition, specialists in laboratory matters, identification matters, and police records matters are used depending upon the curriculum of the particular school. Over the years the FBI has participated in thousands of police training schools of various types for local police agencies. During the fiscal year ending June 30, 1952, assistance along these lines was rendered in connection with 2950 police training schools.

December 10, 1952

2-1

Honorable Herbert Brownell, Jr.
140 East 15th Street
New York, New York

Dear Mr. Brownell:

I am enclosing a memorandum setting forth our policies pertaining to employee procurement, personnel indoctrination, and training and placement policies of the FBI which I thought might be of interest to you.

With best wishes and kind regards,

Sincerely yours,
J. Edgar Hoover

Enclosure

cc: The Director
Mr. Ladd

LBN:MP

*personally delivered
by Rep. Holloman*

FILED FROM	D. O.
TIME	
DATE	12-12-52
BY	

DEC 10 6 05 PM '52
RECEIVED
FBI

EX-110

RECORDED
INDEXED
62-98585-13
DEC 18 1952

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Mohr
Tele. Rm.
Nease
Gandy

RE: SUMMARY OF PROCEDURE AND POLICY IN FEDERAL
BUREAU OF INVESTIGATION CONCERNING EMPLOYER
PROCUREMENT, PERSONNEL INDOCTRINATION, EMPLOYER
RELATIONS, TRAINING AND ADVANCEMENT

1. Applicant Recruitment

The Federal Bureau of Investigation recruits its own personnel, all positions being excepted from the competitive civil service. All FBI positions fall into the following categories: (1) investigative, consisting of Special Agents; and (2) non-investigative, consisting of clerks, typists, fingerprint employees, stenographers, cryptographers, cryptanalysts, translators, laboratory aides, telephone and teletype operators, radio operators and technicians, and others. Recruitment is centralized in headquarters at Washington, D. C., insofar as concerns policy determination and control, over-all supervision of applicant investigations, final review of processed applications for appointive action and supervision of veterans preference, but applicant interviews are conducted both at headquarters and throughout the field.

The Special Agent position requires applicants to meet a set of rigid requirements on education, physical condition, availability for travel and the like. Applicants must now have either a law degree or be graduates of accounting schools with at least three years' practical accounting or auditing experience. The rigorous, hazardous nature of an Agent's duties necessitates excellent physical condition with special emphasis on vision, color vision, hearing, and capacity to use firearms and engage in raids, dangerous assignments or defensive tactics. Before appointment, every Agent applicant must successfully pass a thorough personal interview, a difficult written examination, have his fingerprints searched through FBI Identification Division files, pass a rigid pre-employment physical examination, usually given him at Naval facilities. The entrance physical requirements are similar to the requirements for the entrance of Midshipmen at the Naval Academy at Annapolis. In addition, each applicant who is considered for appointment must undergo an exhaustive general background and character investigation. Approximately 70% of the Special Agents are veterans.

The non-investigative or clerical positions in the FBI also have sets of requirements fitting those positions. As in the case of Special Agents, the non-investigative applicants must likewise undergo the same thorough background investigation, fingerprint and indices check, pass certain tests where applicable and meet appropriate physical standards.

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

62-98585-13

2. Personnel indoctrination, training, and employee relations

The Federal Bureau of Investigation has always considered its personnel as members of a team, working together as a "we" organization; consequently, top emphasis has been constantly placed on properly indoctrinating and training its employees, and on having a complete active personnel counselling program.

Indoctrination begins with the applicant interview, by explaining the nature of the work and otherwise insuring that the applicant knows what he can expect from the organization and what the Bureau will reasonably expect from him. Successful applicants are given assistance in securing suitable housing and becoming adjusted in their new headquarters. New clerks entering on duty at Washington are given a thorough indoctrination in class for two days before reporting to their assignments such subjects being covered as the oath of office, address of welcome, explanation of the history, traditions, and jurisdiction of the FBI, explanation of important rules and regulations, with emphasis on the security of information, a careful explanation of all items of personnel interest including the performance rating system, promotions, transfers, leave, payroll matters, the Health Service, cafeterias, housing, recreational activities, and the like. Personnel counsellors remain with the clerks during the orientation classes to explain the counselling system, assist in housing problems, help the employees make new friends, and aid them in all their problems. Each employee is also given an Employee Handbook which explains all the regulations, services, and other pertinent matters of interest. New employees are taken on a tour of the Bureau and meet the Director, and if any parents accompany employees to Washington, tours and other services are arranged for them. New clerks in the field are afforded comparable orientation. New Agents have their indoctrination included in their sixteen-week course of New Agent training.

Indoctrination never ends as long as the employee remains in service. On reporting to assignments, new employees meet the Assistant Director heading their Division, learn how the work of that Division fits into the whole, learn about their individual assignments, meet their supervisors and personnel counsellors. They are given private interviews by the counsellor after their first ten days to learn how they are progressing, followed by other progress interviews by counsellors and operating supervisors at intervals of thirty days, sixty days when they receive their first performance ratings, and subsequently thereafter as the occasion warrants. Semi-annual divisional conferences are held, as well as periodic sectional and unit conferences to discuss items of interest, and arrangements are made for clerical participation. There are numerous planned recreational activities held outside official hours which not only insure the wholesome fraternization of employees but also enables their spouses and families to become better acquainted with each other. In the field, the wives of personnel are invited to the office to meet the field officials and tour the facilities, and a similar program is arranged for the wives of new Agents in training school.

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

An active Incentive Awards program encourages employees to submit suggestions and perform other meritorious services warranting cash awards, salary increases, and commendation. A promotional policy and long range employee development program offer constant incentive to employees to improve their present skills and acquire new ones to enable them to advance.

Numerous special training opportunities have been devised and qualified interested employees are selected for specialized training to better equip them for their present jobs as well as to help them advance.. These schools are operated under the supervision of the Training and Inspection Division and are in addition to the daily on-the-job training. They include the following:

- (1) New Agent Training School: Covers sixteen weeks of intensive training of classroom, firearms range, and practical laboratory and case schooling in all substantive matters of investigative jurisdiction, firearms training, defensive tactics, interviews, report writing, etc.
- (2) In Service Refresher Training: Two weeks duration, beginning one year after new agent reports to field, and every two years thereafter.
- (3) Typing and Shorthand Courses: Trains beginners, intermediates, and advanced students to pass tests, and a post-graduate course trains them in grammar, vocabulary, preparation of correspondence, and matters of form.
- (4) School for Supervisors: Includes all supervisors and assistants both at headquarters and in the field.
- (5) School for secretaries: For field employees to become better acquainted with headquarters procedures.
- (6) Foreign Language Schools: Served valuable purpose during war when qualified employees not obtainable.
- (7) Major Case Schools: Trains selected Agents in special handling of major criminal cases.
- (8) Security schools: Trains selected Agents in special phases of security investigations.
- (9) Schools for Field Executives: Covered specialized training for Special Agents in Charge.
- (10) Inspectors' Aide Schools: Trains selected Agents to assist in inspections.

Tolson _____
 Ladd _____
 Nichols _____
 Belmont _____
 Clegg _____
 Glavin _____
 Harbo _____
 Rosen _____
 Tracy _____
 Laughlin _____
 Mohr _____
 Tele. Rm. _____
 Holloman _____
 Gandy _____

The Bureau's personnel counselling program has been completely established to provide every possible assistance and guidance to employees in becoming indoctrinated, improving their work performance, and progressing in the service. It is coordinated by a central Personnel Section headed by the Personnel Officer located in the Administrative Division under an Assistant Director. In each Division at headquarters there are Special Agent personnel assistants and clerical counsellors. Uniformity in dissemination and application of policy are achieved through weekly personnel conferences. The counselling staff maintain continual liaison with all employees on the one hand and with their supervisory officials on the other, and the Director is kept constantly informed of all matters of importance concerning personnel. They check on personnel needs, insure that all employees are considered for promotional opportunities, are constantly available for interviews with employees on any problem, whether personal or official big or small, maintain necessary contacts with outsiders such as insurance companies, banks, loan companies, and the like in connection with employee problems, help to plan recreational programs and carry them out, assist in giving typing and stenographic tests, secure suitable housing for employees, check on the adequacy of housing, maintain and impart information on educational facilities and help employees plan educational programs, assist in position classification matters, and prepare reports for the information of the Assistant Directors, Associate Director, and the Director. Counseling of field employees is handled by the Special Agents in Charge under the policy guidance of headquarters.

The Personnel Section has a veterans counseling staff of two experienced World War II veteran Agents in order to counsel and otherwise assist veteran employees, enlistees and inductees with their manifold problems concerning their rights and privileges under veterans' legislation, rules, and regulations. All officials and employees affected are kept informed of all changes in legislation and regulations concerning veterans. These counselors interview all employees departing for and returning from military service on all matters of interest. The Bureau maintains close touch with all employees in military service through exchanges of correspondence, and by regularly sending them the monthly news publication of the Bureau.

The Bureau maintains a Health Service at headquarters and in the large Field Offices where graduate nurses are constantly available to give dispensary treatment as well as health guidance to employees on request.

3. Promotional and placement program.

The Bureau is proud of its placement and promotional program. In filling vacancies, every effort is made to insure

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

the selection of the most outstanding candidate on the basis of qualifications and merit rather than seniority. At the same time, care is taken to insure that every interested employee is given fair, impartial consideration. All employees have been fully acquainted with the promotional system and when any promotional vacancy is filled those passed over have the privilege of being specifically informed wherein they failed to succeed in selection so that they might strive to overcome their deficiencies and qualify for subsequent advancement. Such employees are also given constant attention and help by their counselors and supervisors to qualify for advancement.

Lists of outstanding prospects for long-range advancement are constantly kept up to date to insure an ample reserve of potential candidates for training and placement in positions of greater responsibility. In addition, there is a Vocation Records Unit which maintains detailed records of the special skills, talents, and aptitudes of employees to assist in selecting qualified personnel for special assignments.

Promotion from within has always been the practice to insure that all employees receive equal opportunity and that merit is rewarded.

Periodic self-inspections and formal inspection by the Bureau's Training and Inspection Division are conducted at headquarters and throughout the field to insure the adequacy and efficiency of the entire personnel program.

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

(RS)

December 10, 1952

PERSONAL AND ~~CONFIDENTIAL~~
REGISTERED MAIL

Honorable Herbert Brownell, Jr.
140 East 19th Street
New York, New York

Dear Mr. Brownell:

I am enclosing a memorandum describing a program of inspections which has been in effect in the FBI for a number of years. I have found that a program of annual inspections of each division and field office of the Bureau is most helpful and conducive to the development of more efficient operations.

I thought you would like to have the details on this program.

With best wishes and kind regards,

Sincerely yours,

J. Edgar Hoover

personally delivered by Mr. Holloman

Enclosure

cc: The Director
Mr. Ladd

LRN:MP

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Mohr
Tele. Rm.
Nease
Gandy

RECORDED - 70
INDEXED - 70

62-98585-14

DEC 18 1952

FC 10 6 06 PM '52

December 10, 1952

RE: ~~FBI~~ INSPECTION PROGRAM

Through experience the FBI has found that frequent inspections by carefully selected outstanding employees, having wide experience, are invaluable to operations. Each field office and Seat of Government division is inspected at least once a year by an Inspector responsible to the Director of the FBI. In addition, each office conducts a self-inspection annually.

It is felt that a great deal of the progress of the FBI is attributable to the results of having frequent inspections. These inspections establish uniformity of procedure throughout the service, streamline operations, promote economy, discover beneficial techniques and new ideas applicable to the entire FBI, resolve existing problems and anticipate future ones, discover weaknesses, lay out programs of corrective action, and promote teamwork, productivity and higher morale.

Inspectors are very carefully selected because of their outstanding background. They arrive unannounced at the place to be inspected and there conduct a thorough, probing, analytic examination of all operations.

The Inspectors inquire deeply into investigative operations and review all files to make certain that investigations are being handled thoroughly with economy and without delay. The reviewing of all files in detail serves as an impartial analysis into the propriety of each investigation, assures conformance with the highest standards of ethics, legality, and thoroughness in investigative work. These analyses of each case file provide an opportunity to close files not worthy of further investigation. Through these reviews it is also possible to determine the ability of each investigative employee, to recognize merit, and to detect weaknesses which can be corrected through appropriate training.

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

Le
E. D. Mason:ehw;hd

ENCLOSURE

62-98585-14

MAC

All administrative operations are examined to make certain that maximum streamlining exists; that space is being properly utilized; that economy is a paramount consideration; that contracts are being properly handled and that administrative devices are being utilized to save unnecessary effort and to properly follow up all matters. This has been found to be particularly beneficial and of great assistance in assuring the maximum utilization of personnel along productive lines, and the Inspectors have more than paid for the expenses of the inspection program through the results attained.

In the FBI there is complete standardization of procedure. An employee transferred from one field office to a distant field office will find in his new office of assignment procedures identical with those in the office he left. Indoctrination is thus shortened, standards of quality are thus maintained and production is increased.

In each inspection careful attention is given to physical condition and maintenance. In this analysis the location of the space with regard to suitability, ease of contact with other Federal officials and related matters are considered. Neatness, ventilation, lighting, security hazards and condition and use of all equipment are among the many matters carefully analyzed.

The handling and utilization of personnel is a topic given close scrutiny in each inspection. Frequently all employees are interviewed. Morale is always analyzed. Problems are resolved and future problems are anticipated. Employees are advised and counseled by the Inspection Staff. Each employee is given an examination in writing relating to his major field of endeavor. Employees capable of handling additional responsibility are identified. A program of long-range development for executive positions is laid out for employees having the ability to handle greater responsibility. Training programs are analyzed and adjusted where necessary.

The relations between the division being inspected and other agencies are carefully examined. The United States Attorney is always interviewed for his critical comments which can help the FBI improve itself. Federal judges are interviewed during inspections as are the heads of the major law enforcement agencies in the territory. Thus, each inspection consists not

only of an internal analysis of all operations but includes the views of impartial individuals outside of the FBI who have had an occasion to observe the work of FBI employees. By reducing all findings to writing it is possible to prepare a complete picture of operations in a given office and immediately detect matters needing strengthening or improvement. Through this program the FBI endeavors to constantly improve its services and promote economy. The results of the inspection program have been more than beneficial and may be characterized as an absolute necessity to the FBI. The inspection staff demands adherence to existing standards and seeks constantly to elevate standards and attain greater productivity, greater economy, greater efficiency, and higher morale.

cc: The Director
Mr. Ladd

December 11, 1952

~~PERSONAL AND CONFIDENTIAL~~

VIA REGISTERED MAIL

Honorable Herbert Brownell, Jr.
140 East 19th Street
New York, New York

Dear Mr. Brownell:

I am enclosing a memorandum dealing with the confidential character of FBI files and the necessity of keeping them inviolate.

I have always opposed any public disclosure of FBI files as such a practice would not be compatible with the administration of an organization such as ours. Files, however, are in the custody of the Attorney General and the policy determination of making contents of files available is a matter within the realm of determination by the Attorney General. The constitutional and legal question of making files available is likewise a matter for policy decision by the Attorney General.

I have always felt, however, that in the event our files contained information bearing upon the question of essential justice that some way should be found either through witnesses or the testimony of our own Agents, if necessary, to insure the ends of justice would be served.

This is a problem with which I am sure you will be very quickly confronted once you assume your duties as Attorney General and I did want you to have the benefit of my views.

With best wishes and kind regards,

Sincerely yours,

J. Edgar Hoover

Enclosure

SENT FROM D. O.
TIME _____
DATE 12-12-52
BY _____
INDEXED - 70

1062-98585-15

56 DEC 29 1952

Tolson _____
Ladd _____
Clegg _____
Glavin _____
Nichols _____
Rosen _____
Tracy _____
Harbo _____
Belmont _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

December 11, 1952

~~THE~~ CONFIDENTIAL CHARACTER OF FBI FILES

The FBI over the years has always maintained that, if it is to fully discharge the serious responsibilities imposed upon it, the confidential character of its files must be inviolate.

A cardinal principle of success for any agency having a responsibility for investigations is its ability to secure information. To do that, it must be able to maintain confidences. Any person furnishing information must have the security of knowing that when he furnishes information on a confidential basis, he will not at a later date find that confidence broken. When that occurs, the ability of the investigative agency to discharge its responsibilities in the future is materially lessened.

The public record clearly proves that the FBI because it does maintain confidences has been able to develop valuable sources of information which have a direct bearing on the internal security of the nation.

The question of opening the files of the FBI involves a grave matter of principle. These files contain complaints, allegations, facts, and statements of all persons interviewed. Depending upon the purpose of the investigation, particularly in security cases, they contain not only background data on the individual but details of his private life which bear upon the investigation. In these files also are the identities of FBI confidential sources of information and full details of investigative techniques. A file consists of a running account of all that transpires.

A file is maintained in each case because the FBI has received information, allegations, or a complaint which if proven comes within the sphere of our responsibility, in pursuance of either Congressional or Executive Directives. As the investigation progresses, copies of investigative reports are furnished United States Attorneys when prosecution is to be considered and to the appropriate officials of the Department of Justice. In other types of investigations, the reports of Special Agents are submitted to the interested agency of the government. Details and information dealing with administrative operations and confidential sources of information remain in our files. The contents of these files were never intended to

be disclosed and, unless we drastically change and circumscribe our procedures, they should not be disclosed.

The question of divulging contents of the files of agencies of government is not a new one. When confronted with the question of divulging the files of an Executive Department of the Government in 1909, the late President Theodore Roosevelt said:

"Some of these facts.....were given to the Government under the seal of secrecy and cannot be divulged and I will see to it that the word of this Government to the individual is kept sacred."

The disclosure of the contents of the files of the FBI would reveal confidential procedures and techniques. If spread upon the record, criminals, foreign agents, subversives, and others would be forewarned and would seek methods to carry out their activities by avoiding detection and thus defeat the very purposes for which the FBI was created. Each exception undermines this principle, establishes a precedent, and would inevitably result in a complete collapse of a traditional policy which has proven its soundness.

A disclosure of FBI reports would reveal the identity of confidential sources of information and, if it did not place the lives of such persons in actual jeopardy, it would certainly ruin their future value and effectiveness.

The disclosure of FBI reports would make otherwise patriotic citizens reluctant to furnish information. Already, as a result of some unfortunate disclosures of our files in court proceedings, our Special Agents frequently are being told by persons from whom they seek information that they will decline to be interviewed for fear the information will be misused by some agency other than the FBI.

In the conduct of official investigations, information of a highly restricted nature having a direct bearing upon national security often finds its way into the files which, if disclosed, would be of considerable value to a foreign power. Increasingly, we have observed efforts of a foreign power to seek intimate personal details concerning many of our leaders in Government and industry. They should not be aided by having these details made public for their use and advantage, thereby crippling the important work of the FBI.

In addition to security grounds, there are other compelling reasons why the files of the FBI should remain inviolate. For the want of a more apt comparison, our files

can be compared to the notes of a newspaper reporter before he has culled the printable material from the unprintable. The files do not consist of proven information alone. The files must be viewed as a whole. One report may allege crimes of a most despicable type, and the truth or falsity of these charges may not emerge until several reports are studied, further investigation made and the wheat separated from the chaff.

No investigative organization should have the power of discretion as to what information would be reported and what would be omitted. An item of information which appears unimportant today may provide the solution of a case when considered with information received at a later date, or it may later establish the innocence of the accused.

Should a given file be disclosed, the issue would be a far broader one than concerns the subject of the investigation. Names of persons who by force of circumstance entered into the investigation might well be innocent of any wrong. To publicize their names without the explanation of their associations would be a grave injustice. Even though they were given an opportunity to later give their explanation, the fact remains that truth seldom, if ever, catches up with charges. Any action which would "smear" innocent individuals for the rest of their lives would soon shake public confidence in an investigative organization. The fundamental principles of common decency and the application of basic American rights of fair play should never be disregarded.

The FBI has the obligation, within the scope of Federal law, not only to protect the rights, lives, and property of our citizens, but also to protect the confidential relationship of the citizen when he patriotically serves his Government by providing information essential to our security.

FBI reports set forth all details secured from a witness. If those details were disclosed, they could become subject to misinterpretation, they could be quoted out of context, or they could be used to thwart truth, distort half-truths, and misrepresent facts. The raw material, the allegations, the details of associations and compilation of information in FBI files must be considered as a whole. They are of value to an investigator in the discharge of his duty. These files were never intended to be used in any other manner and the public interest would not be served by a public disclosure of their contents.

In taking this stand, the FBI holds to the view that a principle is involved. The policy determination, however, is for the Attorney General in the discharge of his duties as delegated by the President under his constitutional powers and pursuant to his authority by Acts of Congress.

When essential justice is at issue, the FBI has never sought to hold back or conceal information, if within its power, and the ends of justice can always be served by making its Agents available as witnesses without the necessity of opening its files.

1 RS
December 11, 1952

PERSONAL AND ~~CONFIDENTIAL~~ 2-1

REGISTERED MAIL

Honorable Herbert Brownell, Jr.
140 East 19th Street
New York, New York

Dear Mr. Brownell:

I am enclosing a memorandum wherein the value of a commission to study the menace of Communism to internal security is discussed. There have been recurrent proposals urging the creation of a so-called nonpartisan commission to investigate internal security and the menace of Communism. There are so many factors that must be taken into consideration, I thought I should call this to your attention.

With best wishes and kind regards,

Sincerely yours,

Personally delivered by Mr. Holloman
J. Edgar Hoover

1-1
Enclosure

cc: The Director
Mr. Ladd

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Mohr
Tele. Rm.
Nease
Gandy

LBN:MP
MP

Approved by Mr. Ladd

25. 11 1952
INDEXED - 70
RECORDED - 70

62-98585-16
FC 11 6 22 PM '52

53 JAN 2 1953

PERSONAL AND ~~CONFIDENTIAL~~

December 11, 1952

THE VALUE OF A COMMISSION TO STUDY THE
MENACE OF COMMUNISM TO INTERNAL SECURITY

INTRODUCTION

OTHER Court Order

Since the election there have been a number of proposals urging the creation of a so-called nonpartisan Commission to investigate the menace of Communism to internal security and whether the Nation's security measures are prudent and adequate. Invariably such proposals contemplate an inquiry into whether security measures violate individual rights and call for the full examination of security files.

These contemporary proposals are a revival of other similar proposals that originated from an organized opposition to the Federal Employee Loyalty Program.

62-97585-16

[REDACTED]

Mr. R. B. Baldwin, as Executive Secretary of the Progressive Party, joined in a call for a "Bill of Rights Conference" as reported by the Daily Worker on July 18, 1949, for the purpose of urging an examination of security measures.

[REDACTED]

Max Lowenthal, a well-known New York lawyer and close friend of President Truman, published a book in November, 1950, "The Federal Bureau of Investigation" wherein he inferred that the Communist Party presented no real threat to security. The Lowenthal book was used as a basis for additional clamor for a Commission to investigate internal security. Lowenthal has frequently been denounced in Congress as one who has aided the Communist cause and has admitted friendship with numerous members of the Communist Party and others like Alger Hiss.

On February 24, 1950, Mr. Joseph L. Rauh, Jr., as Chairman of the National Executive Committee, Americans for Democratic Action, in a speech urged the 3rd Annual Conference on Civil Rights to call upon the President to appoint such a Commission. Rauh said

in part, "The time is ripe for a presidentially appointed citizens Commission of eminent persons to go into the basic problems of our security and make a full and frank report to the people."

The Americans for Democratic Action on December 6, 1950, also urged such a Commission. The attitude of prominent members of this organization such as Bernard De Voto, Arthur Schlesinger, Jr., and James Bechler toward security and the CI in particular is well known.

The principal agitation for a Commission to study security measures has since come from the above-mentioned sources. In this connection, the urging for the creation of a Royal Commission by Senator Henry Cabot Lodge during the Spidings Committee inquiry into the charges against the State Department must be considered in light of Senator Lodge's obvious frustration in getting at the facts in the face of conditions at that time.

Conditions in 1952 should be taken into consideration in evaluating the possible value of such a Commission. Numerous factors must be evaluated.

POSSIBLE FINDINGS OF A COMMISSION ON INTERNAL SECURITY

The menace of Communism in the light of our national commitments and mobilization programs is no longer an academic question. The Korean War alone makes it a grim reality. Any expression of doubt as to whether Communism is a menace by the appointment of a Commission might very well give grounds to oppose a new administration's efforts to build the defenses of America.

Likewise, the 82nd Congress which refused to approve the Nimitz Commission appointed by President Truman in 1951, might very well constitute a precedent for future Congressional approval. Whether the creation of such a Commission would be considered an affront by Congress in the light of the findings of Congressional Committees would also have to be considered.

A Commission under most favorable conditions could not reveal facts not already known to the Executive Branch of the Government. It is highly doubtful that such a Commission could secure additional facts which existing security agencies, specially equipped and trained for this purpose, could not more readily obtain and make available to the Executive Branch of the Government.

EFFECT OF THE CREATION OF SUCH A COMMISSION

It is safe to conclude that the creation of such a Commission would be seized upon as a device by Communist propagandists to spread the view that the new administration was not able to cope with current problems. They no doubt would seek to distort any efforts along these lines to shake confidence among the free peoples of the world in this nation's ability through its executive officials to meet the problem of security.

A most undesirable public reaction is not beyond the realm of reason through the creation of such a Commission in the United States. The charge would inevitably be made that such a Commission would take a considerable period of time for its study. The Executive Branch would thus be precluded from inaugurating a program of action on the subject matter being considered by the Commission and it would be restricted in its pronouncements on such matters pending the inquiry. No doubt those who advocate the creation of such a Commission do so designedly for the purpose

of alienating the Executive as well as Legislative Branches of Government during the deliberations of such a Commission. On the other hand, the charge is inevitable that the creation of a Commission would be a mark of vacillation and uncertainty.

THE PROBLEM OF SECURING AN IMPARTIAL COMMISSION

Regardless of the care and caution exercised in the selection of such a Commission, it could not conceivably meet with the endorsement and approval of various groups, factions and interests such as liberals and conservatives, labor and management or minority, racial and religious groups.

Had the Nimitz Commission made a finding there is no doubt that it would be now subject to criticism, particularly since one of those appointed to that Commission only recently was a signer of a public statement urging amnesty for the convicted Communist Party leaders, while another member of this Commission was listed earlier as a sponsor of an organization since declared as subversive, while a third urged for General Counsel a known critic of the Federal Employee Loyalty Program. 2

UNBALANCED MOTIVATION OF URGING FOR SUCH A COMMISSION

The overwhelming majority of the proponents for such a Commission proceeds from the fallacious theory that innocent

1. Bishop Ernest M. Walsh
2. Bishop Karl M. Block, sponsor Joint Anti-Fascist Refugee Committee
3. Anna Straus wanted Professor Gelhorn as Counsel

persons are being hurt without recourse by the security process. They, likewise, fail to realize the fundamental that history reveals there can be no freedom without security. The media of public opinion has never shirked in its duty to report abuses and infringements on civil rights nor have the courts been reticent in deciding when authority has been exceeded or security agencies acted improperly. Beyond that Congress remains one of our most potent forums.

CONSTITUTIONAL OBJECTION RAISED BY SUCH A COMMISSION

The creation of such a Commission would, of necessity, carry a delegated right to access to files and the eventual possibility of the publication of highly secret information, the disclosure of confidential techniques, confidential informants and, of necessity, the probability of publication of material bearing on highly restricted programs of vital concern to the national defense. If files of a restricted nature were made available to a Commission, commissioned to make an independent study and report findings, the next issue would arise as to why are not the same files and materials made available to the courts, legislative bodies, both State and Federal, and other Commissions or quasi judicial bodies.

EFFECT ON SECURITY AGENCIES

A security agency is effective in direct proportion to its ability to secure information. Any program for example, would not be in the national interest which would:

1. Jeopardize the nation's internal security

2. Compromise undercover sources of information or confidential informants
3. Disclose confidential investigative techniques
4. Weaken public confidence in security agencies
5. Embarrass or harm innocent persons
6. Establish means of evading detection

Disclosure of FBI files would result in the above possibilities. In addition, potential sources of information, in the face of the widespread publicity such a Commission would have, would be reluctant to furnish information if to do so might later be a source of embarrassment to them. Daily for example, FBI Agents agree that in return for information furnished, the sources will be protected and the information will be made available only to higher authority in the Executive Branch of the Government. Granting an independent Commission access to such files would in effect be a breach of contract.

THE ROYAL COMMISSION APPROACH

The Royal Commission of Great Britain and Canada have attracted considerable attention creating an entirely erroneous concept in the public mind. The traditional Royal Commission of Canada or Great Britain operates under laws and judicial systems that would be unconstitutional in the United States. While there is much to be said for the "in camera" procedures, public opinion would never tolerate their

existence in the United States even in periods of great emergency. Their vast powers of subpoena, their power of compelling testimony, the secrecy of their operations and their almost unlimited power to punish and authority, make their use in the United States not only illegal but unwise.

If the Commission's sole function was to make findings of fact as to whether laws are being violated, then the same purpose could be achieved by the already established American institution - the Grand Jury. On the other hand, if the findings were for the purpose of influencing legislation or to establish the need for legislation, a Commission in reality becomes a poor substitute for the established institution - the Congressional Committee.

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. LADD

DATE: November 10, 1952

FROM : A. ROSEN *Am*SUBJECT: */* PENDING PROBLEMS WITH THE DEPARTMENT

Tolson _____
 Ladd _____
 Nichols ☒ _____
 Belmont _____
 Clegg _____
 Glavin _____
 Harbo _____
 Rosen _____
 Tracy _____
 Mohr _____
 Tele. Rm. _____
 Nease _____
 Gandy _____

Attached are rough draft write-ups for the use of Mr. Nichols. These items concern the following:

1. Statute of Limitations.
2. Custody of Prisoners Under the Rules of Criminal Procedure - Rule 5 A.
3. Interstate Transportation of Stolen Motor Vehicles.
4. Interstate transportation of Obscene Matter.
5. Amendment to Dependent's Assistance Act of 1950.
6. Senate Bill 2980
7. Atomic Energy Fellowship Investigations
8. Wire Tapping
9. Agreement with Veterans Administration.

Attachment

EHW/rh

ENC.

RECORDED - 79

INDEXED - 79

62-98585-17

DEC 16 1952

60 DEC 30 1952

Herbert Brownell Jr.

file
Am
sl

November 7, 1952

MEMORANDUM

RE: WIRE TAPPING

Since 1947, the Bureau has consistently taken a position that jurisdiction for the investigation of violations of Section 605 of the Federal Communications Act of 1934, commonly referred to as the "Wire Tapping Statute" is vested in the Federal Communications Commission by the provisions of the statute, and, therefore, the Bureau does not have jurisdiction of such violations.

The Bureau refers allegations of wire tapping violations to FCC and to the Department. The most recent such referral involved an individual named William Dorn, who was apprehended by Pinkerton detectives at Miami, Florida, after he was observed adjusting wires in a terminal box, which wires were later determined to be a tap of an Associated Press wire carrying race results.

This case was referred to the Department on August 25, 1952, at which time it was pointed out that there was a violation of Section 605, which was within the jurisdiction of FCC and not of the FBI, and that the Bureau would conduct no investigation.

COPY DESTROYED
150 DEC 4 1964

62-98525-17

Information was received in August 1952, informally through Mr. Ray Whearty of the Criminal Division of the Department that the Federal Communications Commission in a letter dated February 13, 1952, had taken the position that it lacked personnel and facilities to conduct investigation under Section 605 of the Federal Communications Act. The Commission stated its view that the responsibility for such investigation and resulting prosecution, rested with the Department. Mr. Whearty furnished a copy of a proposed memorandum from the Criminal Division of the Department to the Bureau advising in substance that unless the Bureau had some objection, the Department would assign investigative responsibility under violation of Section 605 to the Bureau.

Mr. Whearty was advised orally of the Bureau's objection to accepting such jurisdiction and subsequently the matter was discussed in the Attorney General's Staff Conferences. Following these conferences, the Department representatives agreed with the Bureau's position that jurisdiction for wire tapping violations is in the FCC and at the Department's request a letter was prepared to the Chairman of the Federal Communications Commission for the Attorney General's signature advising the Department's view that the Commission had juris-

diction to investigate wire tapping violations and apparently has authority to provide itself with the necessary trained personnel to conduct whatever investigations are required.

This letter was originally prepared under date of October 7, 1952, but was subsequently returned to the Bureau for minor changes and was sent back to the Department under date of October 21, 1952.

No information has been received, as of November 7, that the Attorney General has forwarded this letter to the Chairman of the Federal Communications Commission.

ATOMIC ENERGY FELLOWSHIP INVESTIGATIONS

The 82nd Congress passed Public Law 455, Independent Offices Appropriation Act. This law is an appropriation Bill and it contains a passage in Section 102 providing for the investigation of applicants for Atomic Energy Fellowships by the Federal Bureau of Investigation. It prohibits the spending of any money appropriated by this law to pay for an Atomic Energy Fellowship awarded to any individual unless that person has been investigated by the FBI. We protested this law before it was enacted, when it was House of Representatives Bill 7072, on the basis that there did not appear to be any reason why the Civil Service Commission could not investigate such cases as they investigate Atomic Energy applicants under the provisions of Public Law 298. The Department indicated that it was not advantageous to take any action regarding the Bill at that time.

On September 7, 1952, Mr. J. Edward Williams, Acting Deputy Attorney General, advised in his memorandum on "Legislative Program for the 83rd Congress" that legislation would be requested to amend Public Law 455 to provide that recipients of Atomic Energy Fellowships be investigated under the provisions of Public Law 298. In this connection the Department was advised on October 7, 1952, that investigations in this category in which disloyal information was developed should be transferred by the CSC to the FBI for full background investigations similar to the procedure under Public Law 298. This matter is being followed closely in the Investigative Division.

CA-98525-114

Senate Bill 2980 was introduced before the 82nd Congress on April 7, 1952, by Senator James O. Eastland of Mississippi. The bill requires the heads of each department or agency of the Executive Branch of the Government to immediately refer to the Director of the Federal Bureau of Investigation any information, allegation or complaint received that any officer or employee of such department or agency has committed, attempted to commit or conspired to commit bribery, fraud against the Government, the making of a false claim against the Government, theft, embezzlement, illegal possession, receiving or destruction of Government property, impersonation or any other act directly related to the duties of his office or employment which constitutes a violation of any provision of Title 18 of the U. S. Code.

Under the terms of the statute, the Director of the Federal Bureau of Investigation is to cause such investigation of the complaint as he may deem to be warranted by the facts. Thereafter, the results of the investigation are to be referred to the Attorney General for prosecutive action. This statute clearly defines the investigative jurisdiction of the Federal Bureau of Investigation in connection with violations of the indicated Federal laws on the part of personnel of the Executive Branch of Government and would assure the prompt referral to the Federal Bureau of Investigation of all such complaints or allegations.

WGP

62-98525-17

It is recommended that enactment be encouraged of an amendment ~~pending in the Senate~~ to provide specific criminal provisions in the Dependents Assistance Act of 1950 (Public Law 771, 81st Congress) This act, effective August 1, 1950 and terminating April 30, 1953, provides allowances for dependents of enlisted members of the uniformed services.

The above act super^seded the "Servicemens' Dependents' Allowance Act of 1942" (Public Law 625, 77th Congress). As enacted this law contained criminal provisions penalizing (a) fraudulently obtaining or receiving funds or family allowances, (b) false statements, (c) fraudulent acceptance of payments after termination of right, and (d) payment of part of payments to agents or attorneys. The new law, the Dependents Assistance Act of 1950 failed to include any criminal provisions.

In the absence of specific criminal provisions our investigations at the suggestion of the Department, have been directed towards establishing violations of the basic Fraud Against the Government statutes, Section 286, 287 and 1001 of Title 18 USC. In several instances difficulties have been encountered in the prosecution of these cases in that no criminal punishment is specifically provided for the fraudulent receipt of benefits. In several cases prosecution has been declined by United States Attorneys on the basis that they are unable to establish venue

62-92525-17

under the Fraud Against the Government statutes where the fraudulent receipt of benefits is involved.

By memorandum dated September 12, 1952, Assistant Attorney General Charles B. Murray advised that, in accordance with the Departments recommendation, Senate Bill #2580, 82nd Congress, 2nd Session was introduced in the Senate on February 4, 1952. This amendment would provide specific penalties for fraudulently obtaining or receiving allowances and /or fraudulent acceptance of payments after termination of right. The bill was referred to the Armed Services Committee but was not enacted into law prior to the adjournment of the 82nd Congress. According to the memorandum the Department is continuing its efforts to obtain enactment of the amendment.

WCS

November 7, 1952

MEMORANDUM

RE: LEGISLATION IN WHICH THE BUREAU HAS INTEREST
SENATE BILL NO. 27
INTERSTATE TRANSPORTATION OF OBSCENE MATTER

The present law dealing with the transportation of obscene material requires that to constitute a violation the transportation must be express or common carrier. Purveyors of pornographic material are well aware of the provisions of the Federal law and circumvent the law by using private means of conveyance.

Senate Bill No. 27, introduced in the 82nd Congress by Senator Pat McCarran (D. Nev), prohibits the interstate transportation of obscene matter regardless of the means of conveyance and provides for the confiscation of such material. Senate Bill No. 27 passed the Senate on January 29, 1951, and was referred to the House Judiciary Committee. No action has been taken on the bill since that time.

The Bureau pointed out to the Department that Senate Bill No. 27 did not specifically vest jurisdiction in the Federal Bureau of Investigation and therefore should be amended to include such provision. The Department agreed and in a letter dated February 9, 1951, to Congressman Celler, recommended that Senate Bill No. 27 be amended to clearly state that the Federal Bureau of Investigation has investigative jurisdiction. No action has been taken on this proposed amendment.

INTERSTATE TRANSPORTATION OF STOLEN MOTOR VEHICLES

There is a diversity of opinion among the courts as to the interpretation to be given to the word "stolen" as used in Sections 2312 and 2313 of Title 18. Although some courts construe the word broadly so as to include embezzlement and similar offenses, others give it a narrow application. While the Department has sought to sustain the broader construction, there are districts in the United States where, because of controlling decisions, prosecutions involving embezzlements are not attempted. Accordingly, an unsatisfactory enforcement situation results. It is therefore deemed desirable to insert after the word "stolen" in sections 2312 and 2313 the words "embezzled, feloniously converted, or taken feloniously by fraud".

There is attached a copy of Bill HR2925 introduced on February 27, 1951, in the House of Representatives by Congressman Celler.

J.D.P.
8/18

COPIES DESTROYED
150 DEC 4 1964

62-46526-17

82^d CONGRESS
1ST SESSION

H. R. 2925

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 1951

Mr. CELLER introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, section 2311, to include the word "tractor" in the definition of motor vehicle and sections 2312 and 2313 to include thereunder motor vehicles and aircraft which have been embezzled, feloniously converted, or taken feloniously by fraud.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That title 18, United States Code, section 2311, is amended
4 by inserting after the comma following the word "motor-
5 cycle" the word "tractor" followed by a comma.

6 SEC. 2. Title 18, United States Code, sections 2312 and
7 2313 are amended by inserting after the word "stolen"
8 wherever it appears therein a comma and the following:
9 "embezzled, feloniously converted, or taken feloniously by
10 fraud".

62-92585-11

82^d CONGRESS
1st SESSION

H. R. 2925

A BILL

To amend title 18, United States Code, section 2311, to include the word "treator" in the definition of motor vehicle and sections 2312 and 2313 to include thereunder motor vehicles and aircraft which have been embezzled, feloniously converted, or taken feloniously by fraud.

By Mr. CELLER

FEBRUARY 27, 1951

Referred to the Committee on the Judiciary

CUSTODY OF PRISONERS UNDER THE RULES OF CRIMINAL PROCEDURE RULE 5 (a)

Rule 5 (a) states that an officer making an arrest under a warrant or any person making the arrest shall take the arrested person before the nearest available commissioner as soon as possible. It is the Bureau's belief that the primary objective of Rule 5 (a) is that the arrested person be taken without unnecessary delay before the nearest available Commissioner but it is not the objective of the rule to impose a mandatory requirement on any particular officer to perform the transportation. Prior to the new rules people arrested by Special Agents would be confined in Federally approved detention quarters and thereafter the U. S. Marshal would be notified and he would take the prisoner before the Commissioner for arraignment. At the outset of the new rules the U. S. Marshal felt they could not take a prisoner before the Commissioner without a paper or document of some kind. This was somewhat clarified by Dept. Circular #3051, Supplement #3 after the Bureau requested clarification. This supplement advised the U. S. Marshal that it was not necessary that he have a warrant before he took a person into custody. The last sentence of the supplement stated, "However, he (referring to the U. S. Marshal) is not required to take the person before the Commissioner in the first instance to obtain a mittimus, since the rules placed that burden on the arresting officer." This precludes a logical and sensible function of the U. S. Marshal and some of the U. S. Marshals have interpreted this to mean the arresting officer or in Bureau cases the Special Agent has to take the prisoner before the Commissioner for arraignment.

In answer to Bureau inquires the ^{Criminal Bureau} Dept. has stated that this problem is solely one of conflicting views between the Bureau and the Administrative Division of the Dept. The Dept. to date has not taken any definite steps to clear up this matter. ~~We have followed the Dept. in this matter.~~

There are two possible solutions: The Administrative Division of the Dept. and the Bureau work the problem out to everyone's satisfaction after which the Dept. could issue instructions to the U. S. Marshals as to what procedure to follow. The other is to have Rule 5 (a) changed to read that the U. S. Marshal would be responsible for taking the arrested person before the Commissioner.

FAF

JLP

97525-17

NOVEMBER 7, 1952

MEMORANDUM

RE: STATUTE OF LIMITATIONS

In connection with the Brink's case, the Bureau on September 29, 1952, suggested to the Criminal Division of the Department that the Department consider submitting to Congress recommendations as to amending the present Statute of Limitations of three years or its outright repeal.

By memorandum dated October 15, 1952, the Criminal Division advised that any extension of time within which to prosecute offenses under Federal Criminal Statutes would be affected either by amendment to the particular substantive statute or by special legislation applicable thereto rather than by amendment or repeal of the general Federal Statute of Limitations. The Criminal Division in its memorandum of October 15, 1952, did not indicate that it was considering submitting to Congress legislation extending the present three-year Statute of Limitations as to the Brink's case.

By memorandum of October 16, 1952, the Bureau again requested that the Department give immediate consideration to submitting to the Congress recommendations for the amendment of Title 18, United States Code, Section 2112, (relating to robbery of personal property of the United States) on the enactment of special legislation applicable thereto in order that the time within which to prosecute offenses under this Statute might be extended. It was also suggested that the Department consider submitting similar legislation to the Congress with respect to Title 18, United States Code, Section 2113, (the Federal Bank Robbery and Incidental Crimes Statute).

The Bureau solicited the views of the Criminal

COPY DESTROYED

150 DEC 4 1964

62-92585-17
ENCLOSURE

Division as to legislation along the above lines and requested a draft of any proposed legislation together with the Criminal Division's comments as to its effect. As of November 7, 1952, no reply has been received from the Criminal Division.

FHS

gwp

NOVEMBER 7, 1952

MEMORANDUM

RE: PROBLEM WITH THE VETERANS
ADMINISTRATION AND THE DEPARTMENT
CONCERNING INVESTIGATIVE JURISDICTION
UNDER SERVICEMEN'S READJUSTMENT ACT
OF 1944 AND VETERANS READJUSTMENT
ASSISTANCE ACT OF 1952

Investigative jurisdiction of criminal violations arising under the Servicemen's Readjustment Act of 1944, which granted benefits to veterans of World War II, was conferred upon the Bureau by Departmental Circular 3929, Supplement Number 1, dated August 1, 1950. Since then, numerous problems have arisen growing out of an improper referral policy in regard to these cases on the part of the Veterans Administration.

As a result of our numerous protests to the office of the Deputy Attorney General dating back to January 30, 1951, a number of conferences have taken place beginning on January 10, 1952, between the Bureau, the Department and the Veterans Administration to negotiate a formal agreement between the Veterans Administration and the Department establishing procedures whereby criminal matters under our jurisdiction will be referred to us promptly by the Veterans Administration. A proposed agreement is now

COPY DESTROYED

150 DEC 4 1964

62-92525-11

under consideration by the Department.

The Veterans Readjustment Assistance Act of 1952, Public Law 550, 82nd Congress, was approved July 16, 1952, and provides generally for readjustment benefits for veterans of the Korean conflict. The provisions of this act closely parallel those of the Servicemen's Readjustment Act of 1944. The Department has advised that the investigative jurisdiction under the 1952 act is being considered for inclusion in the proposed agreement thereby fixing jurisdiction of criminal violations under this new act in the Bureau also.

JP

Date 8-15-2005

Classification of Mail:

- ☐ Unclassified
☐ Confidential
☐ Secret
☒ ~~Top Secret~~
☐ SCI*
☐ Other

Mail Category:

Letter X Airtel _____
 LHM _____ Memo _____
 Report _____ Other _____
 Teletype _____

FD-501 Number _____ FD-502 Number _____

Subject Internal Security GapsDate of Mail November 10, 1952

Description of Material 62-HQ-98585 - Serial 18
 (include identity of originating office or agency)

This serial has been removed and placed in:

☒ Special File Room, Room 7361, FBIHQ/FOIPA # 1024912

☐ _____
 (Field Office - Room, Cabinet, or other
 location where material is stored)

This action taken based upon authority of:

☐ TS/SCICO, FBIHQ, 62-116065

☐ Field Office Manager - _____
 File and Serial number

 (Signature and Title of Approving Official)

 Date

*requires special handling

PERMANENT SERIAL CHARGE-OUT

FBI/DOJ

Director
Ladd

December 17, 1952

22-1

Honorable Herbert Brownell, Jr.
140 East 19th Street
New York, New York

E.I.R.

Dear Mr. Brownell:

I am enclosing a copy of the Elmo Roper story in
the New York Herald Tribune of December 15. I found this
very interesting and I thought you may have missed it.

With best wishes and kind regards,

Sincerely yours,

Edgar

Enclosure

LBN:FML

fine

RECEIVED
DEC 18 1952

162-98585-19

DEC 18 1952
137

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Mohr _____
Tele. Rm. _____
Nease _____
Gandy _____

53 DEC 31 1952

RECEIVED
DEC 18 1952

Wooten

December 11, 1952

5:16

6LR3
MEMORANDUM FOR MR. TOLSON
MR. LADD
MR. NICHOLS

jm
I called Miss Harriet McCarthy, secretary to Mr. Herbert Brownell, Jr., Attorney General Designate, in New York City to inquire where Mr. Brownell could be reached tomorrow as I had a number of letters which I had been holding for him. Miss McCarthy stated Mr. Brownell was not expected in New York at all but he would be staying at the Statler Hotel in Washington, D. C. She stated he would not be in until sometime tomorrow evening and I told her I would arrange to have this material delivered to him late tomorrow.

Very truly yours,

J. E. H.

John Edgar Hoover
Director

RECORDED - 41 62-98585-20

JEH:EH

RECEIVED	U. S.
TIME	6:00
DATE	12-11-52
BY	WUC

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. GLAVIN ✓

DATE: December 12, 1952

FROM : N. P. CALLAHAN ✓

SUBJECT: HERBERT BROWNELL

Tolson _____
 Ladd _____
 Nichols _____
 Belmont _____
 Clegg _____
 Glavin ✓
 Harbo _____
 Rosen _____
 Tracy _____
 Laughlin _____
 Mohr _____
 Winterrowd _____
 Tele. Rm. _____
 Holloman _____
 Gandy _____

Special Agent Supervisor Eugene W. Walsh of the New York Office telephonically contacted the writer in your absence at 4:10 P.M. today and advised that Special Agent Rayford S. Kissiah had just returned from the office of designated Attorney General Brownell in New York where he had been in conversation with Miss Harriett McCarthy, personal secretary to Mr. Brownell.

During this conversation, Miss McCarthy stated that about two or three days ago a person who stated he was Mr. Hoover called Mr. Brownell's Office requesting to know the whereabouts of Mr. Brownell. Miss McCarthy inquired whether it were John Edgar Hoover who was calling and the answer was in the affirmative. Miss McCarthy stated that there were a number of persons at her desk at the time the call was received and she could not pursue the conversation any further and indicated that she could not divulge Mr. Brownell's present whereabouts.

Miss McCarthy stated that the caller advised her that he had some personal mail for Mr. Brownell and was desirous of forwarding it to him and this was the reason for his wanting his present whereabouts. Miss McCarthy further advised Kissiah that it had been two or three years or so since she had had an occasion to hear the Director's voice and could not, therefore, be sure whether or not it were Mr. Hoover calling and was wondering whether there was any way of verifying this.

Supervisor Walsh further pointed out that the Bureau had been advised earlier in the week concerning Brownell's whereabouts as furnished by Miss McCarthy and was desirous of knowing what advice should be given her at this time with reference to her inquiry.

NPC:gt

See her it was
 Mr. Hoover

Don't
 12/15

RECORDED - 41

62-98585-21

Date 8-15-05

Classification of Mail:

- ☐ Unclassified
☐ Confidential
☐ Secret
☒ ~~Top Secret~~
☐ SCI*
☐ Other

Mail Category:

Letter X Airtel _____
 LHM _____ Memo _____
 Report _____ Other _____
 Teletype _____

FD-501 Number _____ FD-502 Number _____

Subject Memorandum For the DirectorDate of Mail November 13, 1952

Description of Material 62-HQ-98585- Serial 22
 (include identity of originating office or agency)

This serial has been removed and placed in:

☒ Special File Room, Room ⁷³⁶¹~~5591~~, FBIHQ/FOIPA # 1024912
☐ _____

(Field Office - Room, Cabinet, or other
location where material is stored)

This action taken based upon authority of:

☐ TS/SCICO, FBIHQ, 62-116065

☐ Field Office Manager - _____
 File and Serial number

 (Signature and Title of Approving Official)

 Date

*requires special handling

PERMANENT SERIAL CHARGE-OUT

FBI/DOJ

December 23, 1952

PERSONAL AND ~~CONFIDENTIAL~~

mt
①
Honorable Herbert Brownell, Jr.
140 East 19th Street
New York, New York

LS 2 - 1
G I. R. - 8

Dear Mr. Brownell:

There is attached for your information one copy of a letter dated December 19, 1952, which has been sent to Governor Sherman Adams in acknowledgment of his request for investigations of Miss Edith Sweeney, Mrs. Floyd E. McCaffree, Mr. Jesse W. Tapp, Mr. Robert Blaine Murray, Jr., and Mr. Samuel Wagner Anderson and in reply to other specific inquiries.

With expressions of my highest esteem and best regards,

Sincerely yours,

Edgar

✓
Attachment

WMM: amb

6
ENCLOSURE

*orig. ret. to file
sub. serial 291
Circ 11/25/57
T.K.*

RECORDED - 6

62-98585-23

DEC 29 1952

11-13

DEC 23 11 50 AM '52
U.S. DEPT. OF JUSTICE
DIRECTOR

Reccan

Tolson _____
Ladd _____
Clegg _____
Glavin _____
Nichols _____
Rosen _____
Tracy _____
Harbo _____
Belmont _____
Mohr _____
Tele. Room _____
Nease _____
Gandy _____

MAILED 6
DEC 23 1952
COMM-FBI

December 19, 1952

PERSONAL AND ~~CONFIDENTIAL~~

Honorable Sherman Adams
Office of Dwight D. Eisenhower
Room 635
Commodore Hotel
New York 17, New York

Dear Governor Adams:

I wish to acknowledge receipt of your letter dated December 16, 1952, requesting investigations of Miss Edith Sweney, Mrs. Floyd E. McCaffree, Mr. Jesse W. Tapp, Mr. Robert Blaine Murray, Jr., and Mr. Samuel Wagner Anderson.

With regard to Mr. Tapp, he has already been investigated at the request of the Honorable Ezra Taft Benson. A summary of the investigation of Mr. Tapp was forwarded to you by letter dated December 15, 1952.

The investigation of Arthur H. Vandenberg is presently being conducted.

The investigation of Martin P. Durkin has been completed and the results were forwarded to you by letter dated, December 15, 1952.

With regard to your inquiry concerning the personnel at the White House who would be retained in employment, I am unable to answer your inquiry because we are not advised of the identity of the individuals who are employed at the White House in various capacities.

Tolson _____
Ladd _____
Clegg _____
Glavin _____
Nichols _____
Rosen _____
Tracy _____
Harbo _____
Alden _____
Belmont _____
Laughlin _____
Mohr _____
Tele. Room _____
Nease _____
Gandy _____

COPY DESTROYED

150 DEC 7 1964

ENCLOSURE

62-98585-23

*orig. sent to file
also serial 291
Cov 11/25/52
T.K.*

It is not normally the practice of this Bureau to investigate employees of the White House. Ordinarily, the Civil Service Commission conducts investigations of persons entering on duty in the classified Government positions. We also know, from past experience, that the United States Secret Service conducts investigations of at least some of the individuals employed at the White House.

It is assumed, therefore, that individuals on duty at the White House or in the Executive Offices of the President have been checked against files of this Bureau and, of course, if such a check had developed information reflecting upon their loyalty, a full field investigation under the Loyalty Program would have been conducted concerning them; otherwise, as above-stated, any investigation of such persons would have been made either by the Civil Service Commission or the United States Secret Service.

With expressions of my highest esteem and best regards,

Sincerely yours,

Tolson _____
Ladd _____
Clegg _____
Glavin _____
Nichols _____
Rosen _____
Tracy _____
Harbo _____
Alden _____
Belmont _____
Laughlin _____
Mohr _____
Tele. Room _____
Nease _____
Gandy _____

The Director
Mr. Ladd

December 22, 1952

PERSONAL AND ~~CONFIDENTIAL~~

REGISTERED MAIL

Honorable Herbert Brownell, Jr.
140 East 19th Street
New York, New York

Dear Mr. Brownell:

For your strictly personal and ~~confidential~~ information, I am enclosing herewith a copy of a memorandum which I am sending to the Attorney General today, with reference to certain recommendations which would affect the Federal Bureau of Investigation growing out of a Management Engineering Survey of the Department conducted by Griffenhagen Associates.

I thought you might be interested in my views on the matter.

With best wishes and kind regards,

Sincerely yours,

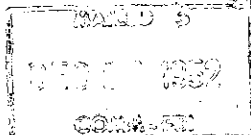
Edgar

RECEIVED
U.S. DEPT. OF JUSTICE
DEC 22 10 22 AM '52

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Mohr _____
Tele. Rm. _____
Nease _____
Gandy _____

Enclosure (Memo 12/22/52 to AG entitled
LBN:MP "Proposals for Organization & Management
for DoJ")

Approved
Director
HWS



162-98585-24
DEC 29 1952
137

53 JAN 8 1953

487484

December 19, 1952

PERSONAL AND ~~CONFIDENTIAL~~

Honorable Herbert Brownell, Jr.
140 East 19th Street
New York, New York

G I. R. -8

Dear Mr. Brownell:

I received a letter from Governor Sherman Adams to which is attached a list of individuals concerning whom he desired investigations. They are as follows:

Miss Edith V. Sweeney
205 E. 78th Street
New York 21, New York

Former Affiliations: Sept. 25, 1944 - April 6, 1951:
Time, Inc., N.Y.
Jan 7, 1952 - Sept. 15, 1952:
Authors & Publishers Bureau, Inc.,
N.Y.

Mrs. Floyd E. McCaffree
9729 Boxhill Drive
Kensington, Maryland

Former Affiliations: 1946-1949: World Wide Development
Corp., New York
February, 1952: National Citizens
for Eisenhower

*orig. rec'd to file
sep. 11/25/57
Cons. 11/25/57*

T.K. Mr. Jesse W. Tapp, Executive Vice-President
Bank of America
San Francisco, California

Former Affiliations: New England Council, New York
1933-1937 Associated with Senator
Davis in U.S.D.A.
Associate Administrator in War Food
Administration, World War II
President of Commodity Credit
Corporation

Tolson _____
Ladd _____
Clegg _____
Glavin _____
Nichols _____
Rosen _____
Tracy _____
Harbo _____
Alben _____
Belmont _____
Laughlin _____
Mohr _____
Tele. Room _____
Nease _____
Gandy _____

53 JAN 3 1953
cc: amb

DEC 23 1952

162-98585
25

Robert Blaine Murray, Jr., President
Pennsylvania Economy League, Inc.
611 Blackstone Bldg.
Harrisburg, Pennsylvania

Samuel Wagner Anderson
Defense Production Administration
Washington, D. C.

With regard to Mr. Jesse W. Tapp, an investigation has already been conducted concerning him at the request of the Honorable Ezra Taft Benson. A summary of this investigation was sent to you, along with the summaries of other investigations already conducted, with my letter of December 18.

With regard to the others listed, we will proceed with these investigations unless advised to the contrary by you.

With expressions of my highest esteem and best regards,

Sincerely yours,

Edgar

Tolson _____
Ladd _____
Clegg _____
Glavin _____
Nichols _____
Rosen _____
Tracy _____
Harbo _____
Alden _____
Belmont _____
Laughlin _____
Mohr _____
Tele. Room _____
Nease _____
Gandy _____

December 18, 1952

PERSONAL AND ~~CONFIDENTIAL~~

Honorable Herbert Brownell, Jr.
140 East 19th Street
New York, New York

Dear Mr. Brownell:

G. I. R. 6

There are enclosed for your information, summaries of the investigations conducted by this Bureau of the following individuals copies of which have been furnished to Governor Sherman Adams. These investigations were requested either by the persons investigated or by Governor Adams:

John Foster Dulles
Herbert Brownell, Jr.
Douglas McKay
Harold E. Stassen
Ezra Taft Benson
George M. Humphrey
Abbott Washburn
Charles Douglas Jackson
Thomas Stephens
Martin P. Durkin

Arthur H. Summerfield
Ivy Baker Priest
Oveta Culp Hobby
James Hagerty
Sherman Adams
Lawrence Arthur Minnich
Margaret Mary Burns
Ann Cook Whitman
Mary Margaret Caffrey
Gabriel Hauge

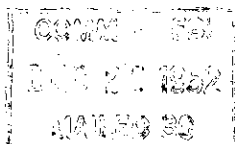
There is also enclosed a summary of the investigation of Jesse W. Tapp whose investigation was requested by Ezra Taft Benson. A summary of this investigation was furnished to Governor Adams on December 12, 1952.

At the request of Governor Adams, investigations are presently being conducted of the following individuals:

Enclosures

GCC:amb:enm

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____



Stephen G. Benedict
Catherine Charles Dean
Edward J. Green
Alberta Harrington

Mrs. Richard E. Nelson
Maxwell M. Rabb
Alice Smith
Emmet John Hughes

Arthur H. Vandenberg

Mr. Walter Williams who has been named to be Under Secretary of Commerce, requested an investigation of himself on December 2, 1952. It is presently being conducted.

We are also investigating at the present time, Mr. Merlyn Pitzele. This investigation was requested by you.

Senator Henry Cabot Lodge requested an investigation of himself and of Mr. Francis McCarthy, his secretary. These investigations are being conducted at the present time.

Governor Douglas McKay has requested investigations of Governor Val Peterson of Nebraska, and of Mr. C. A. Erdahl. These investigations are presently being conducted.

Mr. Martin P. Durkin has requested investigations of Mr. Clinton Strong Golden, Mr. Lloyd Mashburn, and Mr. Spencer Miller, Jr. These investigations are also presently under way.

Mr. Ezra Taft Benson has requested the investigations of the following individuals and they are presently being conducted:

Dr. Clifford Hardin
Karl D. Loos
J. Earl Coke
Kenneth Geyer

Frederick W. Babbal
Howard Gordon
John Davis Conner
Robert Coker

Carl D. Butler

Governor Sherman Adams advised by letter dated December 10, 1952, that Mr. Nelson Rockefeller had been named by the President-elect to head a small committee to make certain studies in connection with the organization and functions of the Government, and in that connection would request a few investigations of this Bureau. He requested that these investigations be conducted. By letter dated December 10, 1952, Mr. Rockefeller requested investigations of himself and five others. I assume that you will want these investigations made; however, I would appreciate your specific advice in this connection.

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

The five individuals are:

Dr. Milton S. Eisenhower
Donald K. Price

John French
Charles H. Stauffacher
Dr. Arthur S. Flemming

On December 17, 1952, Mrs. Oveta Culp Hobby requested investigations of the following persons, which have been instituted:

Henry Hill
Pearl Wanamaker
Earl James McGrath

Herold Christian Hunt
Lee M. Thurston
Kenneth Edison Oberholtzer

By letter dated December 13, 1952, President Robert L. Johnson of Temple University, Philadelphia, Pennsylvania, requested investigations of himself and of the following persons in connection with the Committee of which Mr. Rockefeller is Chairman:

Martin Merson
William L. Clark
Robert L. L. McCormick
Charles B. Coates

William D. Staples
Genevieve Kahler
Lou Burns
Henry Luce, III

I am advising Dr. Johnson that he should clear this matter with you.

Upon completion of the above pending investigations, and with reference to any future requests, you will be furnished with copies of the results of our inquiries.

With expressions of my highest esteem and best regards,

Sincerely yours,

Edgar

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

cc: Mr. Ladd
Mr. Rosen
Mr. Callan
Mr. Pitzer
Mr. Innes

December 24, 1952

~~PERSONAL AND CONFIDENTIAL~~

Honorable Herbert Brownell, Jr.
140 East 19th Street
New York, New York

Dear Mr. Brownell:

There is attached for your information a summary of the inquiries made by this Bureau concerning Alice Helms Smith. This investigation was requested by Governor Sherman Adams and the results of these inquiries have also been made available to him.

With expressions of my highest esteem and best regards,

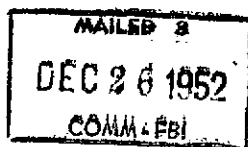
Sincerely yours,

Edgar

MLI:ush
Attachment

497383

RECORDED - 67



62-98585-27
DEC 31 1952
137

06 JAN 8 1953
256

mlh. JH8
Ryccum

January 6, 1953

11:07AM

MEMORANDUM FOR: MR. TOLSON
MR. NICHOLS
MR. GLAVIN

I called Miss McCarthy, secretary to Mr. Herbert Brownell, in New York, to advise her of the status of efforts made to obtain an apartment for her. I told her we had checked at the Marllyn, the Warwick and the Idaho Terrace, and there is nothing available in any of these three.

Miss McCarthy stated she attempted to contact Mr. Dowling yesterday and in his absence spoke with his secretary. She further stated she was definitely assured of an apartment in the Westchester and Mr. Dowling is to call her today. She indicated she would call me after talking with Mr. Dowling to advise me what arrangements have been made.

I told Miss McCarthy that whenever she or Mr. Brownell desired to get in touch with me to call the New York Office and ask for the direct line to Washington; that I would instruct the New York Office to handle their calls immediately.

Very truly yours,

J. E. H.
John Edgar Hoover
Director

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

JEH:lul

RECORDED - 63
EX - 117

62-98585-28

SENT FROM P.O.
TIME <i>5:14</i>
DATE <i>1-6-53</i>
BY <i>hew</i>

January 5, 1953

11:14AM

MEMORANDUM FOR: MR. TOLSON
MR. NICHOLS
MR. GLAVIN

I telephoned Miss McCarthy, secretary to Mr. Herbert Brownell, in New York, in regard to efforts made to locate an apartment for her. I advised her that Mr. Glavin had talked to the Manager of the Westchester and was informed that they have no unfurnished two bedroom apartments presently available. I also told her that apparently the manager had not received any word from New York and I suggested that she get in touch with Mr. Dowling in New York.

Miss McCarthy inquired about the Marlyn and the building directly opposite it. I told her that it was my understanding the rooms were rather small in the latter building, but that I would have Mr. Glavin make an inquiry at both places and she would be advised.

Very truly yours,

157 D. E. H.

John Edgar Hoover
Director

G. I. R. - 9

JEH:lv1

RECORDED

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

SENT FROM D. O.	
TIME	3:23 PM
DATE	1-5-53
BY	JED

62-98585 29

JAN 14 1953

January 6, 1953

3:20

G. I. R. 5

MEMORANDUM FOR MR. TOLSON
MR. LADD
MR. NICHOLS

I called SAC Carson at Los Angeles and advised him that I had just received a call from New York from Miss McCarthy, secretary to Attorney General-designate Brownell, who stated that there were some children in Mexico, who wanted to return to school in Ohio at the Nazareth Hall Military Academy. She stated these children were not allowed visas to enter the United States on the excuse that their relatives were subversive, though they had been attending this school all along. I told Mr. Carson that Miss McCarthy did not have all the details but that a man by the name of Daniel J. O'Brien did have, and I wanted him to have a competent Agent contact Mr. O'Brien, who is connected with a Daniel Collins, 834 No. Kenmore Avenue, Hollywood, California, and whose telephone number is Olympia 3971.

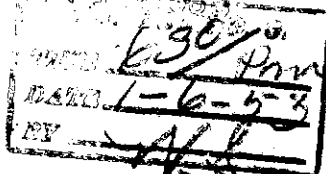
I asked that the Agent obtain all the details as to where the children are located and what the difficulty is, so we can take the matter up with the State Department or the Immigration authorities to see what is holding up the matter. Mr. Carson indicated he is under subpoena but would have an experienced agent contact Mr. O'Brien immediately, and would then call me. I told him if I was not available to speak with Mr. Holloman.

Very truly yours,

J. E. H.
John Edgar Hoover
Director

JEH:101

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____



INDEXED-114

RECORDED-114

62-98585-30

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director
 FROM : E. C. Holloman
 SUBJECT: MATERIAL FURNISHED TO MR. HERBERT BROWNELL, JR.

DATE: January 2, 1953

Tolson _____
 Ladd _____
 Nichols _____
 Belmont _____
 Clegg _____
 Glavin _____
 Harbo _____
 Rosen _____
 Tracy _____
 Laughlin _____
 Mohr _____
 Tele. Rm. _____
 Holloman _____
 Gandy _____

By letters dated November 24, 1952:

- (1) Letter dated 11-24-52 Monographs entitled:
 Soviet Counterintelligence Organizations
 Training Schools and Training of the
 Soviet Intelligence Service
 The Underground Apparatus, 1919--1952
 Soviet Intelligence Communications
- (2) Letter dated 11-24-52 November issue of FBI Law Enforcement Bulletin
 November insert for Law Enforcement Bulletin
 Annual Report of FBI for fiscal year 1952
- (3) Letter dated 11-24-52 Memorandum summarizing the "Department's
 Program for Apprehension and Detention of Persons
 Considered Potentially Dangerous to the National
 Defense and Public Safety of the United States"

By letter dated December 11, 1952, and personally delivered by Mr. Holloman:

- (1) Copy of investigation of Mr. Brownell, dated 12-2-52.
- (2) Memorandum concerning value of a commission to study the menace of Communism to internal security, dated 12-11-52.
- (3) Letter setting out information on Bernard Louis Gladieux, dated 12-9-52.
- (4) Memorandum concerning Bureau policies pertaining to employee procurement, personnel indoctrination and training and placement policies of the FBI, dated 12-10-52.
- (5) Memorandum describing a program of inspections which has been in effect in the FBI for a number of years, dated 12-10-52.
- (6) Reprint of an article "Civil Liberties and Law Enforcement" from Iowa Law Review (letter of transmittal dated 12-9-52).
- (7) Memorandum concerning the leakage of classified information to newspaper sources, dated 12-9-52.
- (8) Memorandum concerning the activities of the FBI designed to lift the standards of law enforcement through training local, county and state law enforcement officers, dated 12-10-52.
- (9) Memorandum concerning a summary of FBI Coverage of Communist Activities from 1940 to 1952, dated 12-1-52.

RECORDED-20
 INDEXED-20

62-98585-31
 JAN 5 1953
 11

- (10) Memorandum and several charts reflecting the administrative and operational aspects of the FBI, dated 12-9-52.
- (11) Letter setting out remarks by informant that are purported to be statements made by Soviet officials who informant believes to be important officials of Soviet Ministry of State Security, dated 12-4-52.
- (12) Letter transmitting summary of information on Karl John Eisenhardt, possible designate as Ambassador to Venezuela, dated 12-2-52.
- (13) Memorandum "Defense Functions of the Federal Bureau of Investigation," along with series of charts depicting our activities in the Internal Security Field, dated 12-9-52.
- (14) Memorandum pertaining to matter of listing additional organizations under the President's Loyalty Order, dated 12-9-52.
- (15) Memorandum describing the Ten Most Wanted Fugitives Program, dated 12-9-52.
- (16) Memorandum dealing with wire tapping, setting forth Bureau's policy and referring to legislation which has been introduced, dated 12-9-52.
- (17) Memorandum setting forth details on current proposal for establishment of Federal agency to disseminate information on crime and setting forth certain proposals of American Bar Association for control of local police and prosecutors, dated 12-9-52.
- (18) Memorandum concerning bill introduced in Senate by Eastland on 4-7-52. Bill designed to correct previous Act of Congress which was construed to prevent the FBI from investigating such offenses as bribery, fraud against the Government, and corruption in the Treasury Department, dated 12-9-52.
- (19) Memorandum dealing with the confidential character of FBI files and necessity of keeping them inviolate, dated 12-11-52.

Material furnished to Mr. Brownell on December 17, 1952:

- (1) Letter transmitting summary of information on William Pierce Rogers, dated December 12, 1952.
- (2) Letter, enclosing copy of Elmo Roper story in the New York Herald Tribune, letter dated December 17, 1952.

Copies of summaries of investigations which have been furnished to Governor Sherman Adams, forwarded to Mr. Brownell by letter dated December 18, 1952:

John Foster Dulles	Oveta Culp Hobby	Abbott Washburn
James Douglas McKay	James Hagerty	Ann Cook Whitman
Harold E. Stassen	Sherman Adams	Jesse W. Tapp
Ezra Taft Benson	Sinclair Weeks	Thomas E. Stephens
Charles Erwin Wilson	Lawrence Arthur Minnich, Jr.	Martin Patrick Durkin
George M. Humphrey	Margaret Mary Burns	Gabriel Sylfest Hauge
Arthur E. Summerfield	Mary Margaret Caffrey	
Ivy Baker Priest	Charles Douglas Jackson	

Copies of summaries of investigations which have been furnished to Governor Sherman Adams, forwarded to Mr. Brownell on December 22, 1952:

W. Walter Williams
Henry Cabot Lodge

Copies of summaries of investigations which have been furnished to Governor Douglas McKay, forwarded to Mr. Brownell on December 22, 1952:

Frederick Valdemar Peterson

Material furnished to Mr. Brownell on December 22, 1952:

Letter, dated December 22, 1952, transmitting copy of Director's memorandum to the Attorney General, dated 12-22-52, captioned "Proposals for Organizations and Management of the Department of Justice," which sets forth the Director's views with reference to certain recommendations which would affect the FBI, growing out of the Management Engineering Survey of the Department conducted by Griffenhagen Associates.

Copies of summaries of investigations which have been furnished to Senator Henry Cabot Lodge, forwarded to Mr. Brownell on December 26, 1952:

Francis McCarthy

Copies of summaries of investigations which have been furnished to Governor Sherman Adams, forwarded to Mr. Brownell on December 26, 1952:

Alice Nelms Smith

Material furnished to Mr. Brownell on December 27, 1952:

Letter, dated 12-26-52, transmitting summary of information on Judge Charles Edward Wyzanski, Jr., of Boston.

Copies of summaries of investigations which have been furnished to Governor Sherman Adams, forwarded to Mr. Brownell on January 2, 1953:

Dr. Milton S. Eisenhower
Donald K. Price, Jr.
Ethel Alberta Harrington
Maxwell Milton Rabb
William D. Staples
William Lincoln Clark

Copies of summaries of investigations which have been furnished to Martin P. Durkin, forwarded to Mr. Brownell on January 2, 1953:

Spencer Miller, Jr.

Material furnished to Mr. Brownell on January 2, 1953:

- (1) Letter, dated 12-30-52, concerning George Richardson of Philadelphia, who has been mentioned as being considered for a Department of Justice position in the Eisenhower Administration.
- (2) Letter, dated 12-29-52, attaching copy of letter dated 12-15-52, from J. Robert Walker, containing favorable comments concerning Ezra T. Benson.

January 5, 1953

MEMORANDUM FOR MR. TOLSON

MR. LADD

MR. NICHOLS

G I.R. - 8 12-1

On January 2, 1953, I talked with Mr. Brownell while in New York by telephone and briefed him on the latest developments in the case of Alfred Vandenberg. I told him Mr. Vandenberg had withdrawn his restriction to our interviewing the young man living with Mr. Vandenberg and we had interviewed this young man and he had denied any wrong-doing upon the part of Mr. Vandenberg. I told Mr. Brownell that we would have the report upon Mr. Vandenberg shortly. I advised Mr. Brownell that Mr. Vandenberg was now staying at the Everglades Hotel at Miami, Florida.

I also spoke to Mr. Brownell about the practice of individuals now on the Government payroll being named as consultants for the future and that he might wish to keep this in mind as it could be a very undesirable practice and procedure. He was surprised to learn of this and indicated he would certainly look into it.

I also informed Mr. Brownell about Lois Leyda, the wife of Hal Leyda. I had received a report in the mail from my office at Washington concerning these two individuals and gave Mr. Brownell the high spots concerning both of them. He inquired as to whether they shouldn't cancel Lois Leyda's employment in General Eisenhower's headquarters at once. I suggested this not be done until we had obtained further information and that immediately upon receiving same, I would advise him of what information was received. I desire that Mr. Ladd expedite this matter and we prepare a memorandum upon Lois and Hal Leyda which I may be able to forward to Mr. Brownell at an early date.

I also told Mr. Brownell that a Mr. Douglas Whitlock, who is connected with the Republican National Committee at Washington, communicated with our headquarters at Washington relative to checking names for the Republican National Committee and, upon my instructions, he had been instructed to take such matters up with Mr. Brownell directly. Mr. Brownell stated this was the proper procedure.

I also informed Mr. Brownell that a telephone had been installed in his apartment at Lee House, number 134 Metropolitan 8-3093, and that a protective device had been placed upon same.

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Laughlin
Mohr
Tele. Rm.
Holloman
Gandy

JAN 14 1953

JEH:mpd

SENT FROM N. C.
TIME 4:17
DATE 1-6-53
BY [Signature]

Very truly yours,

John Edgar Hoover
Director

MEMORANDUM FOR MR. TOLSON
MR. LADD
MR. NICHOLS

On Tuesday, December 30, 1952, I saw Mr. Herbert Brownell, Attorney General-designate, at General Eisenhower's headquarters. He requested that the following names be checked by the FBI and reports submitted to him upon same as soon as possible:

Warren Olney of San Francisco, who has been connected with the California Crime Commission. Mr. Olney is under consideration for appointment as Assistant Attorney General in Charge of the Criminal Division.

J. Edward Lombard, Jr., of New York City, and a member of General Donovan's law firm. He is being considered for a position as U. S. Attorney for the Southern Judicial District of New York.

Warren Burger of St. Paul, who is being considered for Assistant Attorney General in Charge of Claims Division, which will probably be renamed to the Civil Division.

J. Lee Rankin of Lincoln, Nebraska.

Mr. Charles Metzner of New York City, who is at present secretary to Justice Hecht of the New York Supreme Court.

Upon leaving Mr. Brownell, I phoned Mr. Ladd to convey these names to him and the investigations upon these persons should be expedited and copies of the reports sent to Mr. Brownell only, not to Governor Adams, as these persons are being considered for appointments in the Department of Justice.

ALL INFORMATION CONTAINED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 10-31-70 BY SP1A/AM Very truly yours,

Very truly yours,

John Edgar Hoover
Director

87 JAN 9 1953

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

JAN 15 1953

SENT FROM B. REC
TIME 10:10 AM
DATE 1-16-53
BY jkh

62-98585-33

55004
54998
Rec'd. in copy filed
77-55062-1

77-54994
77-54995

33
RECORDED & FILED IN